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CHRIST AND BERGSON

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THROUGHOUT our modern world there is coming to the fore a consciousness of the value of each person's life. When our Saviour presented Himself to the world, it was as One in Whom this sense was keen: He felt it in Himself; and He inspired His disciples to feel it. But in the practice of the majority it was a new idea. Small value was put by most men on the life of individuals, or even of whole tribes, if only the few, who were for the moment strong, could grip the weaker and force them to the wall; and slavery was in the background almost everywhere.

Into the maelstrom of such brutality came Jesus Christ. He set a high value on His own life, and on the lives of all; and in His character He manifested what would follow from His conception of human life—what it would produce in mankind. His view commended itself steadily. But, just because the process was vital, it has taken a long time. After nineteen centuries of Christianity contempt for human life is evident among us, in the frequency of homicide, of infanticide; in the appalling rate of infant mortality; in the ruthless conditions of many of our manufactories; in heedless habits of society at large, and of private homes. We boast that we are far from the gladiatorial shows of ancient Rome—and so we are, thank God—but now and

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then even we slip back toward the disregard of life of which the Coliseum is a monument; as when lately an aviator, on account of the condition of his machine, hesitated to make the ascent which a crowd had paid to see; and the people, with angry clamor, insisted that the aviator *must* go up, until he yielded to their taunts, and perished. Nevertheless in our better moments, under the influence of Jesus, we repudiate such brutality toward others; and in every sort of business men and women are rising from the weariness of daily toil and sin, and are trying to fill the vacant spaces of their existence with imaginative visions of a better being for each one. The man who, after a hard day's work, takes refuge in a novel, or a bit of music, or a wholesome play at the theater, or who, of a Sunday morning, goes to church hardly knowing why, witnesses to an imperious demand of his own soul. In spite of the vexations and the monotony of our occupations, there is a common feeling that each life, on this revolving planet in the spaces of the stars, is not only wonderful but well worth while, if only we can learn the secret, the purpose of it; if we might make fewer mistakes, and might come to terms with the uncertainty of it all. With this feeling in their hearts some people are gazing all about them, trying to read the signs of the times, peering into the distance, hoping to catch sight of the form of life that will console and satisfy them, and stay. Others are snatching time to look within themselves, wistfully conjecturing that that satisfying form of the better personal life is, after all, within us; hidden away in the chambers of silence; and only waiting, waiting, for our personal attention and a more consistent will.

Thus the growing sense of the value of life arouses increasing disquietude. How can I get at the real thing, and do the right thing, and save my life, before I go hence and am no more seen?

This virus of disquietude has penetrated from West to East. Japan and China have it, and the Balkans nearer home. Wherever the modern industrial system makes way, there is the same unrest that spoke in Broadway two weeks ago on the banner of the Garment Workers: "We strike for a better life." It is getting on the nerves of earnest people everywhere; and as for the politicians, it confuses their calculations. They don't see how to trim their sails. So "without are fightings, within are fears." Yet fear is

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a bad atmosphere in which to live. How shall we exorcise our fears? How meet the evidence of impending change, political and social and individual?

Recently in New York we have had the great privilege of lectures on this general subject by the distinguished French philosopher, Professor Henri Bergson, who was invited to tell us what he has come to know of the philosophy of life and liberty. His productions hitherto, his whole view of things, and his coming to our shores at the request of a great university, are typical of the times. Some claim him as an ally of Christianity. Others think that Syndicalism and the International Workers of the World, who troubled us at Lawrence and are now troubling us in New York, with their rampant anarchism and desire to upset everything, careless of what may happen—some find in these a practical application of Bergson's philosophy. He has a marvelous intellect, a fascinating style. He handles the themes of metaphysics with luminous precision, bringing them near to our ordinary lives. With apt illustrations from our daily doings, he throws light on the difficult abstractions which he has been pondering in his heart and brain. His vivid pen makes his ideas sparkle as they pass; so that, when we lay down his books, we take the applications home. We had not thought of life quite so, but so it seems to be.

Professor Bergson's book, *Creative Evolution,* has attracted wide attention throughout Europe and America, especially his conception of free-will and personality, and his insistence that the merely intellectual, mathematical, scientific treatment of matter and mind and the universe has been overdone. It is true that the tone of the scientists had been changing in this respect, and already had become less positive as to the riddle of the universe. The more that Science has sharpened its tools and broadened its scope, the more it has been willing to eschew an intention or ability to grapple with—much less to solve—the ultimate problem of existence. But many scientists for many years were overbold in this direction, and their unwarranted assumptions as to the sufficiency of the scientific method beyond the scientific field had so impressed the average public that Bergson, to clear the way for his philosophy, felt bound to say to scientists, "So far and no farther!" He urges that the methods and the tools of natural science are more limited in their proper application than most scientists of the nine-

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teenth century supposed: that the *whole* of the life process eludes them: that the limits of Science are fixed by the limitations of the intellect: that the life process as an entirety transcends and escapes our reason, both in theory and practice, and compels us to make room for Intuition, which gets closer to life itself and to the secret of life.

Notice that in thus restricting the scope of our reasoning power, Bergson takes care, on the other hand, to set bounds to Mysticism; for he emphasizes the importance of clear, reasonable ideas as guides to intuition and as opportunities for its exercise: the clearer our ideas are as postulates of reason, the more fruitful and helpful they are to the intuitive faculty; but it penetrates further than they into the reality of our conscious being. "You cannot make yourself will by your intellectuality: will creates intellectuality," he says. Yet "Intuition is not all guesswork. It is necessary to be impregnated with the subject, if we would find a solution for it." "Our souls shall vibrate continuously in unison with nature." He says again:

"Our eyes, aided by our memory, would cut out in space, and fix in time, inimitable pictures. We would hear singing in the depths of our soul, like music, sometimes gay, more often plaintive, always original, the uninterrupted melody of our interior life. All this is around us, all this is in us, and yet nothing of all this is perceived by us distinctly. Between nature and us—what do I say?—between us and our own consciousness a veil interposes, a thick veil for the common man, a thin veil, almost transparent, for the artist and the poet. What fairy has woven this veil?"*

As he exercises his faculty of intuition, Professor Bergson discovers in himself a stream-like flow of consciousness, in which there are no breaks, but a ceaseless interpenetration of past and present. Duration is the essence of the life process; which is a perpetual accumulation and flux of experiences, and a perpetual creation of new forms and new contents—creative evolution. When life is *lived*—not merely reflected on by the reason—our life is this process of the constant force which we term personality, individuality, coping with like individuals in the world around, and with other elemental forces which somehow are thrown up to us and seem to be impersonal. No individual can foretell the result of this process—the outcome of the interaction

*Bergson's first lecture at Columbia University, February 3, 1913, as reported in the New York *Sun* Tuesday morning, February 4th.

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which constitutes life—and there is no use worrying about it. Such *is* life. The individual can but seize his opportunity to exercise his best choice, and let it go at that, holding himself ready to choose again and act again, from emergency to emergency, practising his creative possibilities. "Act, act in the living present": exert yourself in detail all the time, and go on, no matter what happens to you—that is life.

And Bergson seems to think—he is enough Stoical for that—he seems to think that his view of individual life, and of the individual's value in the whole of things, will avail to exorcise our fears: that the changes and chances of our lives ought not to disquiet us or render us unhappy, for the simple reason that they are not an accidental feature of life, but belong to the substance of it. They are the waves of the sea. They are not a sign that we are in danger of our life; for what we look upon as danger is part and parcel of the very thing—such is life. Hence is it quite as silly to look forward to a golden age, and fear that these changes and chances may rob us of it, as it is to look back and imagine that the golden age once was? Such as it is, this is the golden age. Every age is the golden age; and our life will always be thus hazardous. We are not dying, or deteriorating, because we are in danger. To live at all is to be in danger, if you choose to call it such. To pass from change to change—to be in a sort of moving picture of dissolving views and consequential acts—such is life, and there is no other. The individual will always be obliged to cope with change: that is his part in the creative evolution. the process of life.

Nevertheless, after describing in this thrilling way the general character of human life, is not Professor Bergson throwing out into the contemporary camp an idea which might leave us worse confounded than before? Has he done much to allay our disquietude—our dread of impending change? For remember, our dislike of utter uncertainty is part of the very thing which is presented to our faculty of intuition. We *do* dislike uncertainty. We cannot pretend that both the fact and our feeling about it are not as genuine as the rest of the problem of our life. We are so made that we suffer when we are on the brink of losing what we love. And the trouble is, that Bergson, after opening up wide vistas for creative evolution, and after insisting on

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the abiding value of the individual's creative ability, will not allow that the individual has any particular assurance of an end to accomplish—of a plan to follow. A plan, he claims, would close the future and rob us of our freedom. A plan would tie us, as the carpenter is tied to his architect's design. For my part, I never met a carpenter who felt half so free as when he had in his hands a good architect's design to work out; whereas Bergson maintains that we are only free to try our hand at being, and cannot foresee at all what we are creating, nor what predicament our acts will bring us to. All we can do is to exercise a sort of perpetual presence of mind—an intuition—whereby the will keeps wide awake to the possibilities of the moment, so that there and then the individual realizes himself. And in that momentary act of breaking through the portals of the future, which are always open, the individual becomes the creator that he is; and therewith he ought to be content.

Is not Bergson making a mistake similar to that which he charges against the scientists of the nineteenth century? Is he not making of evolution a sort of superstition? Is he not holding it too strictly to the form in which it applies to the animal kingdom alone, forgetting that man has become decidedly different from a mere animal? Is not Bergson carrying a theory (or, if you please, a law) of biology over to a field where it does not quite apply? Or rather, if you can take that law of biology over with you into the field of ethics and the personal will, must you not admit, to blend with it, a new principle which belongs, and must not be denied to ethics, if ethics is to carry the sanctions and the stimulus of real religion? In other words, are we not here at a point where there is a passage from the comparatively simple to the more complex, somewhat analogous to the transmutation of what had been supposed to be an unalterable element of matter into another and higher element—such as the transmutation by electricity of the element neon into helium which was heralded from London a short time ago by Sir William Ramsay and Professors Collie and Patterson of the English Chemical Society, and which by some scientists is spoken of as the Birth of the Atom? It was the dream of the Alchemists that lead might be transmuted into gold; and the scientists are now inquiring whether this new discovery, if it be substantiated, will not justify the old alchemist's dream. And, to use this as a

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physical illustration of a spiritual affair, may we not reverently say that in our Lord and Saviour Jesus Christ—the Second Adam or New Man, as Paul calls Him—we have the capital instance of the transmutation of the lead of ordinary human nature into the gold of the Perfect Man? Did not Paul foreshadow this when he declared to the Ephesians, "You hath Christ quickened"? When the Christian appropriates the new, redeeming, spiritual force which Christ affords to him, have we not a world-wide instance of spiritual transmutation? Notice that even Bergson proposes to us his doctrine, not merely as a philosophy for our abstract contemplation, but for our mental and moral betterment. By implication, he himself is performing an act of creative evolution. Bergson is not content to offer us his philosophy as a mere catalogue of observations—an account of life as he has seen it: he expects that his philosophy shall convey to us a dynamic influence: that it shall carry to those who accept it a positive force which will assist them to happiness and right living. Now when we come to that—to serenity of soul, and the determination to live rightly—is it wise or seemly to ignore the message and the life of Christ?

Therefore, though Professor Bergson is by extraction a Jew, I hope that he will apply his brilliant mind and sympathetic heart directly to the life and influence of Jesus Christ; for Christ pre-eminently laid stress on man's freedom, and none so much as Christ enabled men to be fearless of change, and even of death. Christ, too, certainly no less than Bergson, delivers us from the crush of necessity all round, and makes a quickening appeal to each man's persistent energy. Christ's method and philosophy of life are before us; and, to say the least, they are as worthy of consideration as Bergson's. Why then do gifted men not grapple with the problem of Christ's life as they grapple with the problem of life with Christ left out? With seriousness and passion and power, with determination to see and to explain, with nice selection of terse phrases and careful illustrations, they expose the whole of human life as they see it, but with one historic phase of it omitted. They pass by Jesus Christ, though they are aware that He has been the most striking and potent factor in modern history. The fact is that they are open to everything in the life process except Christ's part in it for two thousand years. They

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are more open to the thrill and the sting of their own brief present day than they are to the thrill and the sting of the solemn exhibition of free personality which culminated in Gethsemane and on the Cross, though the impact of Christ's influence has unquestionably lasted in human society ever since. "A great artist sees masses, not edges," is a saying of Ruskin's; and it applies to the progress of religion in the world. It is by observing the great general masses of tendency, as manifested in human soul-life and history, not by attempting to define what surpasses our powers of definition, that we are likeliest to apprehend the significance of the evolution. True, such men as Bergson are ready to admit the stimulus of hardship. Bergson would not blink that for a moment: he has none of the passion for mere comfort which spoils so much of our modern attempts at social service and our philosophies of progress; but, so far as his literary productions go, there is little to show that Bergson has ever grappled with Christ, or recognized the stimulus—the creative evolution—of Gethsemane. With fine enthusiasm Bergson offers us a religion of personal exertion; but he makes no reference to Christ's religion of personal exertion and redemption—the world process, as Christ sees it, of the Heavenly Father, leading, purging, lifting mankind, by their own personal co-operation with their personal God under the stimulus of Jesus. Bergson has indeed advanced already some distance toward the point where Christ must be considered; for, in a letter to a friend which has just been published in Professor Edouard Le Roy's little volume, *Une Philosophie Nouvelle,* Bergson says:

> "The considerations set forth in my 'Essay' on the immediate facts of consciousness are intended to bring to light the fact of Liberty: those in *Matter and Memory* touch upon the reality of Spirit: those in *Creative Evolution* present creation as a fact. From all this there clearly emerges the idea of a God, creator and free; the generator at once of matter and of life, whose creative efforts as regards life are continued through the evolution of species and the constitution of human personalities."

But it still remains for Bergson to tell us what he thinks of the unique personality of Jesus, and of His epoch-making influence on human history; and it seems to me that in this last letter of his we have the point where Bergson is likely to find the place of Christ in the whole scheme of Creative Evolution. For, as Illingsworth remarks in his book on

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Reason and Revelation (and Bergson, I think, would approve the remark):

> "We do not understand things simply by analyzing their structure or composition, but by discerning their place in this universal system, their relation to the purpose of the world. Hence the true realm of reality consists in personal beings, since only such can realize ideal ends, or objects of worth, and it centers in God . . . and the bond of this realm of reality is love, which has 'eternal and supreme worth.'"

Such a conviction as this inevitably leads men who are possessed of the spiritual eye to regard themselves as members of a body, so that they easily apprehend the Christian metaphor of St. Paul in the classic passage of the fourth chapter of the Epistle to the Ephesians.

If, then, I take all that Bergson has to say, and carry it along with what Christ says, and with what Christ is, what does Jesus Christ do for me that, so far, Bergson does not do? Christ, like Bergson, presents Himself to my intuition: He is a fact to be reckoned with: His message must be considered. As to the details of my future, Christ is in a way as vague, as indeterminate, as Bergson. Nevertheless to my faculty of intuition (or faith, as He calls it) Christ presents certain principles of action, which, in a general way, if I accept them, will control and guarantee my future; such as the Golden Rule, and the Beatitudes, and the sacrificial life, with assurance of personal immortality because underneath me are the Everlasting Arms, and, for Christ's sake, God forgives. Besides, Christ does more than to present me these principles; He embodies in Himself the type of life which springs from these principles, and He says: "Behold Me. Follow Me. Once thou art awake to My likeness, thou shalt be satisfied with it." If, of my free choice, I adopt His principles, Christ promises that I shall grow into His likeness. Beyond that, Jesus left His disciples unhampered. Considering how clear and beautiful, and definite in outline and tone and feature, He Himself was, as the New Testament portrays him, it is wonderful how He gives the reins to those who bear His name, rich or poor; Jew or Gentile; barbarian, Scythian, bond or free. When they ask Him for more directions, He bids them wait till His Spirit comes to guide. When Peter is inquisitive about John—"Lord, what shall this man do?"—Christ answers, "What is that to thee?" He will not tie men to a hard and fast programme that describes all cases in advance.

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In a moment of confidence He even admits that He Himself does not forestall the future. Not only is it not for them to know the times and the seasons, but of that day and that hour knoweth no man, no, not the angels which are in Heaven, neither the Son, but the Father. Some of the early Christians did indeed make bold to draw imaginative pictures of the Kingdom of God and the New Jerusalem coming down out of Heaven; but Jesus is reticent. Eye hath not seen it; ear hath not heard it; neither hath it entered into the heart of man to conceive. In that sense Christ does not cramp us with a plan. Nay more, if we accord to St. John's Gospel the weight that Dr. Sanday (after careful consideration of all adverse criticisms) does accord to it; in which he is supported by Professor H. R. Mackintosh, of Edinburgh, in the volume of Dr. Briggs's *International Theological Library,* recently published under the title "The Doctrine of the Person of Jesus Christ." If we attach such weight to St. John's Gospel, then Christ too uses strange words which indicate that "Duration" (to use Bergson's term) is the essence of His life process: "Before Abraham was I AM. He that hath seen Me hath seen the Father. I and My Father are One." Whereupon Christ turns round and counsels His disciples: "Take therefore no anxious thought for the morrow, for the morrow shall take thought for the things of itself. He that followeth Me shall not walk in darkness, but shall have the light of life."

Thus, then, in the kaleidoscope, the panorama, of human history, our own creative will, our intuition (or, as the Bible calls it, our faith) addresses itself to life according to the principles, and under the stimulus, of Jesus Christ. He quickens us. This is life eternal, to know Him: to act and think and desire in each emergency, as nearly as we can, like Christ. Every great religion but the Christian has decayed, as the panorama turned and turned and dissolved away; but the religion of Jesus, wherever and whenever it has been carried out in the lives of men, has been equal to every emergency. The Beatitudes, and the Golden Rule, and the assurance of immortality and forgiveness, and the sacrificial life—these suffice. These equip us for any field: enable us to adjust ourselves to any circumstances. "Such trust have we through Christ toward God." We are content to be alive: to achieve the Christ-like character. As to what that character may bring me to in unforeseen contingencies

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—what it may exact of me—what I shall be like, and my wife like, and my children and friends like, in the world to come, or even a year hence—I have seen Jesus. And, wonderful to tell, the Christian's own personal experience, in many ways and diverse manners—as little by little, better and better, we act as Christ acted—enables us to understand what Paul meant when he said, "Christ in you the hope of glory." This is not merely an anticipation: it is a present act—creative evolution.

"Such trust have we through Christ to Godward." So Paul spoke nineteen hundred years ago, at the outset of the era when the birth of Jesus was renewing the energies of a discouraged world. Has anything happened since to undermine such confidence? "Lord, to whom shall we go? Thou hast the words of eternal life." Pessimists are asking whether, after all, there is such a thing as human progress; whether the pendulum is not forever swinging back and forth; whether the last development, democracy, can keep going much longer; whether the Syndicalists and the International Workers of the World are not sounding the knell of democracy, ushering in anarchy once more. But the fact is, democracy is proving that we cannot get on in it without the character of Jesus Christ. So there is a great wave of desire to be thorough with the principles of Christ—really to enact them over against our political and industrial and spiritual unrest. Hard-headed, empty-handed toilers cheer when Christ is mentioned, and take Him for their Friend; though at the same time they are suspicious of professing Christians. Why? Because more and more association has come to be the aim and the condition of civilization: it is the note of democracy; and no other principles than Christ's can cope with the problems of association and enable men to dwell together in unity; and the multitude can see that in the new problems of our time Christians generally are not living up to the principles of Christ, so as to be able to associate with all sorts and conditions of men. We Christians go at our tasks of business and politics and society blindly, beating the air, using up energy in makeshift experiments, when yonder is Jesus with His Golden Rule, and His Beatitudes, and His sacrificial life, all ready for us to apply. Really applied, they have never failed. This is eternal life.

Am I generalizing? For God's sake, then, let us go into particulars. There is nothing else in life for you and me

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but personal conduct in particulars. If you and I and all our Christian neighbors would act like Christ in particulars on the spur of the moment—and there is no other spur—in our homes, in our business, in our recreations, whatever betide us, or our town, or our whole land, we should be laying hold on eternal life. Go into particulars. Put away lying. Let no corrupt communication proceed out of our mouth. Let all bitterness and wrath and evil speaking and malice be put away from us; and be we kind one to another, forgiving one another, even as God for Christ's sake hath forgiven us. Love God as Christ reveals Him with all thy mind, and with all thy soul, and with all thy strength, and thy neighbor as thyself. There is no emergency which that life will not fit. It has this pragmatic value. And the Peace of God, which passeth all understanding, shall keep our hearts and minds in the knowledge and love of God, and of His Son, Jesus Christ. We all, beholding as in a mirror the glory of the Lord, are changed into the same image. Seeing we have this ministry, we faint not, for we are entering into the life process which Christ disclosed and secured to mankind.

George William Douglas.

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OUR WOOL DUTIES

BY THOMAS WALKER PAGE,
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WHAT should be the duty on wool imported to this country? At present the wool suitable for making cloth pays eleven cents and twelve cents a pound according to its "class," while coarser wool for carpet-making pays four cents or seven cents according as its price is above or below twelve cents in the country whence it comes. For these various specific rates the Democrats substituted in their bill last summer a single rate of twenty per cent. *ad valorem*. But some prominent men in the party are said to believe that wool should be put on the free list as it was in the Cleveland administration. It is whispered also that many cloth manufacturers favor such action; and it is certain that many Congressmen of both parties hold the same opinion. There are other manufacturers and Congressmen, on the other hand, who regard the wool duties as the "Keystone in the arch of protection." To repeal these duties they believe would bring the structure toppling about our heads. Moreover the producers of wool, those who are supposed to benefit by the duties, have come to regard the protection they enjoy as a "right" that they may "demand" from Congress. They regard the present duties as even too low for their needs; and they speak loudly and bitterly of being robbed of their "just deserts" by evasions that the wording of the present law enables importers to practise.

The questions of right and expediency in the case of the wool duties involve a study of the wool-growing industry and the interests connected with it. It is a truism that every considerable tax has far-reaching social and economic effects beyond the mere providing of a revenue. If this were not so, why should the Federal Government tax whiskey and tobacco instead of corn and potatoes? Or why levy a duty

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on sugar and none on coffee? Or why, again, did the Democrats last year put sewing-machines on the free list, while leaving a duty of twenty-five per cent. on shoe machinery? By reason of these social and industrial effects so long as it is necessary to raise a revenue of some hundreds of millions of dollars through our customs houses, it behooves Congress to use great care in distributing this vast sum among our industries in such a way as to rest as lightly and as equably as possible upon our citizens.

Now there are several different systems of sheep husbandry in this country. The most conspicuous, and the most intimately concerned with the wool duties, is that which prevails in the Rocky Mountain States and parts of California and Texas. Perhaps the most striking characteristic of the system is the large number of sheep in a single ownership. The possessor of five thousand head is reckoned a small man in the business, while some individuals and corporations own seventy-five thousand or more. This means, of course, a distinct industry, resting on a commercial basis, requiring the investment of much capital, and employing professional and highly specialized labor.

Another characteristic of the system is that few if any sheep men own more than a small part of the enormous acreage necessary to maintain their flocks. If it became necessary to purchase the land needed for pasturage, the industry must perish. Its continuance is dependent on the existence of grazing lands, the use of which can be had for nothing or for a very small price. It is true that some sheep men have acquired large tracts of land. Sometimes this has been done to secure water rights, and sometimes to protect the pasturage, by the purchase of land at strategic points, against the advance of settlers. But very often they have bought it, not so much with a view to using it in their business, as with a view to its rise in value; and they pasture it merely while waiting for an opportunity to dispose of it otherwise to advantage. Their uncertain tenancy of land is a source of weakness, and during the past decade the advent of home-seekers in many regions has been playing havoc with the sheep business. The inclosure of farms works a hardship on the flock-owner by withdrawing the best of his pasturage and by requiring him to move his sheep long distances from one open space to another. Year by year the sheep are being driven back by new settlers to the

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semi-arid and mountainous districts where tillage as yet is unprofitable.

Another characteristic of the husbandry in this part of the country is the prevalence of the Merino type of sheep. It stands the rigors of climate better than other breeds; its denser, shorter fleece suffers less in a wild, rough country; it is less exacting in the quality and quantity of its food; and habits of feeding and roaming in fairly compact masses with few stragglers render it easier than other breeds to herd and to guard in uninclosed territory. Of all animals useful to man the Merino sheep is best adapted to the waste places of the temperate zones. But except under unusual circumstances it is only to the waste places that it is adapted. For on land fertile enough to produce an average agricultural crop and situated so that this crop can be marketed to advantage, tillage is more profitable than pasturing Merinos. The mutton from this variety of sheep is small in quantity and so inferior in quality, when uncrossed with other breeds or otherwise improved, as to make it a poor contributor to the meat supply. Except, therefore, where they are maintained for breeding purposes, the principal product sought from Merinos is their fleece. They yield a wool that for fineness of fiber and other qualities surpasses that of all other breeds. There is, however, a limited demand for such fabrics as require this particular wool, and this fact, of course, limits the price that can be got for it. For this reason sheep husbandry to be profitable on land of much value must yield mutton as well as wool.

Herein lies the explanation of a practice that has been very marked in the Northwestern States for some years—the practice, that is, of crossing the Merino with one of the English breeds. Such a cross produces very good mutton as well as a quality of wool that is in wide demand for many fabrics, although it is somewhat coarser than that of the pure-bred Merino. The growth of this practice in the Northwest has come partly, no doubt, from an intelligent calculation of their interests by the sheep men; and partly it is the result of altered conditions that have ended the profits of a pure-wool industry. Grazing rents have been constantly getting higher in that region; agriculture has made great encroachments, and the wide free ranges have been gradually broken up; on the national forest reserves pasturage ten years ago was free, whereas the Government now exacts

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a payment of ten to fourteen cents a head for sheep. Winter feeding, furthermore,—which was rare in former years,—because of the scarcity of winter pasture is now the rule, and the necessary hay and grain costs several times as much as summer forage. At the same time also by reason of changed conditions other costs, as well as those for food, have risen, and these increased costs commonly so far outweigh the value of the wool clip that cross-breeding for mutton has become very common.

In the Southwest cross-breeding is much less prevalent than it is to the north. This is probably due in the main to the fact that range conditions there are not favorable to the mutton type of sheep. The ranges are not so open as in the North, water is scarcer, and the sheep must be handled in comparatively small bands. Furthermore, hay and grain, which are fed in large quantities to mutton sheep, are obtained with difficulty and at a much higher cost than in the North. Yet even in this region, paradoxical as it may seem, the owner of a Merino flock makes more by selling sheep and lambs than he does by selling wool. This is due to a heavy demand for his sheep for breeding purposes. In the States of the corn belt the Merinos seem to resist the prevalent intestinal diseases better than the English breeds, and the farmers there buy them to raise cross-bred lambs for the market. From the Northwest likewise the flock-owner is now looking in large measure to the Southwest to recruit his stock of breeding ewes. For even though he aims rather at good mutton than at fine wool, yet so long as the open-range methods of husbandry endure, he must keep the Merino strain predominant in his flocks. It is evident therefore that while the southwestern sheep man does not directly produce much mutton, yet he furnishes a stock on which at present mutton-growers of other regions depend, and in this way he receives a share of the profits from the production of meat.

In the Rocky Mountain region taken as a whole the average annual expense of the flock-owner is about $2.11 per head of sheep. In 1910 his receipts averaged $2.56 a head, and of this sum wool yielded him only $1.17, or considerably less than one-half. This indicates that in that region mutton is now the chief product of sheep husbandry, and that wool has been reduced to the position of a very valuable by-product.

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It is not likely that wool-growing can ever regain its former relative importance in the West. At present practically every acre of grazing land is in use, and indeed is somewhat overstocked. Further territorial expansion therefore is out of the question. On the contrary, the advance of settlement and extension of agriculture is rapidly reducing the available area. At the same time increasing costs of pasturage have been accompanied by rising prices of hay and grain. The flock-owner's outlay also on provisions and equipment for his workmen is much greater than formerly, since the demand for labor in agriculture and other industries has enabled his employees to demand greatly improved treatment, and the practice of dividing the sheep into smaller bands, due to the breaking up of the ranges, has multiplied the number of necessary outfits. The total expenditures on labor are not far from double what they were ten or fifteen years ago. The rate of wages has gone up thirty to fifty per cent., and the more difficult range conditions have forced the employment of a larger number of men. Furthermore, extra costs have arisen that were formerly unnecessary. Thus, for example, it often happens that the flock-owner must now move his sheep twice a year by rail between winter and summer pastures, instead of trailing them slowly through an uninhabited country where they grazed unmolested during the journey. Others, again, have been so cut off from access to water, that they can save their sheep only by digging expensive wells; and yet others have found it necessary to build and maintain costly bridges across streams or cañons in order to pass from one grazing area to another.

The most serious difficulties of sheep husbandry as it has been conducted in the West can never be less than they are now, because they arise from the progress of settlement and the reduction of the wilderness to homesteads. So long as our land policy favors agriculture rather than pastoral pursuits, these difficulties will increase. It is very significant of the unpromising condition of the industry that the development of the country has not brought to the flock-owners one benefit that commonly attends it, that is, low rates for the use of capital. While the sheep man in Australia or South Africa can borrow money for five per cent., or in South America for six per cent., in our Western States he must pay interest at the rate of eight or ten per cent. This

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seems to be due to the precarious, even hazardous, nature of the western sheep business. Men will not invest in the permanent improvements necessary to give stability to the industry, while their tenancy of the land necessary for their flocks is so uncertain. In Australia, by way of contrast, the situation is quite different. There the government allows the sheep man to take up in a single tract for a long term and at a low rent the land he needs. He surrounds this with a well-built wire fence, and he erects on it such other improvements as will reduce to a minimum his need for labor and his risk from contagious diseases, predatory animals, poisonous plants, and climatic conditions. In the West this is and will remain impossible. Thus the average investment for both equipment and improvements in Australia is two dollars per head of sheep, while in the West it is only ninety cents.

From what has been said, no other conclusion can be reached than that wool-growing in the West has seen its best days. This does not mean that sheep husbandry may not continue to thrive. But if it does thrive, it will be through the production of mutton rather than of wool. And indeed, few realize the rate at which the mutton business has already grown. The time has been when it was not a popular kind of meat in this country; but it is now widely used, partly because it has improved in quality, and partly because the production of beef and pork has not kept pace with the growth of population. Thirty years ago the Chicago stock-yards received 336,000 sheep, more than four times as many cattle, and twenty-one times as many hogs. In 1910 they received more than five and a quarter million sheep, little more than three million cattle, and about five and a half million hogs. The change in less than a generation has been well-nigh phenomenal. In view of this there can be little doubt that the transition of emphasis from wool to mutton, already noted as occurring in the Northwest, will continue and that the sheep-owner will devote more attention to a foodstuff that is in growing demand and less to a clothing material for which conditions are becoming yearly more unfit.

The systems of sheep husbandry in other parts of the United States need little comment, for with one exception they are conducted primarily for meat and wool is only an incidental product. The exception is found in the hill coun-

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ties of Ohio, the adjacent parts of West Virginia and Pennsylvania, and the southern counties of Michigan. The whole section is commonly known in the wool business as the Ohio region. Sheep-raising there has an interesting history, and in former years strongly influenced our tariff policy; but in the present generation, as compared with the industry in the Rocky Mountain States, it is of small importance. There are in this country all together approximately 51,000,000 sheep. Of these fully three-fifths are in the West, and less than a tenth in the so-called Ohio region.

In comparison with those in the West the Ohio flocks are small. They vary between fifteen or twenty head and some eighteen hundred, with an average size of a little more than fifty. As this would indicate, wool-growing is carried on merely as an incident of general agriculture. The predominant strain is the Merino, but on many farms a Merino greatly improved by skilful breeding, of larger size and better mutton qualities than the original type. The breed has probably reached its greatest perfection in this region, and the Fine Delaine, as the long-fibered Ohio Merino wool is called, is in strength and certain other qualities the best wool in the world. But it is also produced at the highest cost in the world, and here as elsewhere in America wool falls far short of paying the expenses of the industry. It is, therefore, only the improved variety of Merino that yields any profit, the smaller kind does not pay the costs of maintenance. In strong contrast are the returns from cross-bred flocks in the same region, notably in southern Michigan. For such flocks the average annual expense is $2.78 a head, the average receipts in 1910 were $1.46 a head for wool and no less than $2.92 for mutton and lambs, or all together $4.38—an excess of receipts over expenses of $1.60. For Merino flocks, taking the improved and the unimproved together, the average annual expense is $2.44 a head and the receipts are $1.88 from wool and $1.07 from sheep and lambs, together $2.95, which shows an excess over expenses of only $.51.

In view of these figures it seems amazing that Ohio sheep-raisers have not devoted themselves universally to breeding for mutton. Their failure to do so becomes more curious when it is found that fully thirty per cent. of the Ohio Merinos are kept at an actual loss, and that those yielding a profit are mainly of the improved strain, having fair mut-

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ton qualities and commanding a ready sale for breeding purposes. Under these circumstances valid reasons for the wide adherence to Merinos are not apparent. One explanation that has been suggested is that much of the land in the hill counties can be used to advantage only as pasture for some kind of sheep, that sheep pastures in the East are liable to become infected with a certain intestinal parasite, and that there is a general impression that Merinos show a greater resistance to this parasite than do other breeds. Against this it may be said that there is no reason why cross-breds in Ohio should be less hardy and healthy than they are in Michigan or in some of the Mississippi Valley States where they are handled with great profit. A more plausible explanation is found in the unwillingness of the farmers to change systems and methods that they have grown accustomed to. The Ohio sheep man knows the Merino, its habits, qualities, requirements, and possibilities. He can get out of it the very best that it is capable of producing. Many of the flocks have been handed down from father to son for several generations. The owners take a keen personal interest in their well-being and feel great pride in maintaining their purity. To many farmers the cross-breeding of their thoroughbreds would seem a sort of miscegenation, a desecration of a farm ideal that they would maintain even at some pecuniary loss. Furthermore, it should be remembered that most farmers keep no accurate accounts and many of their losses are concealed from them. The farmer in the Ohio region gets annually an average of nearly three dollars a head from his Merinos. This appears to him as a profit, when he does not charge against them his own labor nor the pasturage, hay, and grain provided from his own land nor a number of other items that according to his system are merely incidental to general farming. He does know, indeed, that for some reason at present "times are hard," but he prefers to attribute this to "Democratic tinkering with the tariff" rather than to the unprofitableness of his beloved and much-admired Merinos. These Ohio farmers are the Old Guard of the wool-growers. They are waging a loyal, romantic, and desperate battle, but for them as for their prototype it is Waterloo.

It appears from this sketch that in spite of high protective duties, which have endured with a single brief interruption

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for generations, wool-growing in the United States has become a waning industry. The Census Reports give evidence to the same effect. They show that the total number of sheep, excluding lambs, during the last thirty years has decreased in every decade. There has been some increase in the western division of the country, but that increase in the last decade was less than three per cent., and it was more than counterbalanced by losses in the other sections. The amount of the total annual wool clip can only be estimated, and since it depends on weather conditions and other changing contingencies, it fluctuates from year to year. It may be said, however, that from the best estimates that can be made—and these estimates are accepted in business and are used in the Government reports—the average annual production in the five years ending in 1910 was about three hundred and eleven and a half million pounds. This is nearly four million pounds less than the average annual production in the five years that ended a quarter of a century earlier.

In this generation the output of wool has had many ups and downs. It reached its apogee in 1893; and immediately afterward there began a sharp decline from which there has never been a complete recovery. Naturally the wool-growers attribute the decline to the free-wool provision of the Wilson Bill. And undoubtedly they are in large measure right, for so many flock-owners were panic-stricken at the prospect of free wool that millions of sheep were hurried to the stock-yards, slaughtered at home, or allowed to perish for lack of care, and for several years few of those that kept their sheep found any profit in them. But it should not be forgotten that a similar decline both in number and in profits occurred in the case of hogs and cattle which were in no way affected by the tariff. The truth is that many forces contributed to cause the memorable business depression of the middle 'nineties. These bore as heavily upon sheep husbandry as upon other industries, and just how much of its decline was due to them and how much to the Wilson Bill, no human being will ever know.

After a very brief period the duties were restored, but in half a generation they have failed to restore the industry. Not only is the production of wool absolutely smaller than it once was, but it has fallen constantly still further behind the growing needs of the manufacturers. At present these

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are importing from abroad about two-fifths of the wool they use; and unless some overwhelming disaster comes upon their industry, under no conceivable circumstances will the domestic supply of wool ever equal the demand.

Here the question naturally arises, Why have the duties accomplished so little for sheep husbandry? The answer is threefold. In the first place, wool-growing, as has been pointed out, has encountered increasing economic obstacles that have countervailed the effect of the duties. In the second place, American wool contains much more grease, dirt, and other impurities than that which is imported from competing countries, so that the net protection has been less than it appeared to be. In the third place, the tariff in raising the price of wool raises the price of what has become the minor product of an industry that depends more largely for its success on another thing. These three propositions also hold good with regard to the probable future effect of the duties, if they should be retained The economic obstacles to wool-growing in this country are never likely to diminish. Our flock-owners in perfecting the development of their industry are never likely to approach nearer to the Australians who operate under far more favorable conditions, while a higher net protection than they now enjoy the present state of the public mind gives them no reason to hope for. Nor will the inadequacy of tariff-enhanced wool prices as an aid to sheep-raising ever grow less. The more the flock-owner devotes himself to making meat, the less important relatively his wool crop will become; for his lambs when not needed for breeding are apt to be sold unshorn and to be slaughtered before their wool has reached its full development. When the industry is in a stage where meat is its chief product, raising it by wool duties is applying the lever on the wrong side of the fulcrum. For the Government to aid the industry by a duty on wool would in principle be the same as for it to encourage the hog industry by a bounty on pig-tails. Of course wool will always be an incomparably more important by-product than pig-tails, but the principle is the same in both cases, and a bounty on tails, like a duty on wool, would undoubtedly if made high enough stimulate growth. But such stimulation is awkward and effected at a disproportionate waste of energy. The flocks might be more directly enlarged by the renewal of an ancient New England law that wholly forbade

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the sale or slaughter of sheep, "that wee may in tyme have sufficiency of woolen cloath among ourselves."

It appears then that to the average American sheep-raiser the wool duties are only an incidental aid; to the genuine wool-grower they are of real assistance, but they are inadequate to prevent the gradual merging of his industry in that of the mutton producer. To neither, therefore, do they bring a benefit that economically justifies their retention.

From the standpoint of the manufacturer these duties are undeniably an evil. They raise the price of his raw material, increase the amount of capital necessary in his business, enhance his costs of production, and make it impossible for him to compete for trade in neutral markets. More than this, they completely bar him from the use of important varieties of wool that are available abroad. South Africa, for example, exports about 125,000,000 pounds of wool, as fine, and for many purposes as useful as any that is grown, but the amount we take of it is negligible. The explanation of this is found in the fact that the duties are specific payments on a pound of wool "in the grease" —that is, in its natural condition as it leaves the sheep's back. But in each class of grease wool there are many varieties which differ not only in length, strength, luster, and fineness, but also in the quantity of oil and other impurities they contain, so that some varieties when scoured yield much less clean fiber than do others. These variations appear not only in sheep of different breeds or from different regions, they are also found in different parts of the same fleece. Thus wool from the neck, legs, breech, or belly shows a different shrinkage in scouring from that of wool on the rest of the body. Naturally the American buyer abroad can now take only wool of a good yield. The heavy shrinking wool is often excellent for his purposes, but when the duty is estimated on its clean content he finds that he cannot afford to import it. Between the two great branches of the manufacture, worsted cloth-making and woolen cloth-making, there has raged for some years a violent and bitter dispute regarding the injustice of excluding the heavy shrinking and low-priced wools. Disregarding here its merits, it may be noted that the controversy has brought out convincing evidence of the unscientific nature of the duties.

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In view of the effect of the duties on their business it might be expected that the manufacturers would persistently and strongly urge their repeal. On the contrary, though they object to the form of the duties and the method of assessment, none openly oppose the rates, and most of them advocate their retention. Several considerations lead them to this attitude. Nearly all of them are sincere and earnest believers in the principle of tariff protection. It is well-nigh as sacred to them as the principles of the United States Constitution, and it would be unjust to the great majority of them to impute to self-interest a faith that is the result of conviction. By reason of this faith they are required to extend to other industries the protection that they themselves enjoy. Many also believe that though the wool industry will never meet their full demand, yet protection to it will insure at least a partial supply of the raw material necessary to keep the shops going in the event of an interruption to our foreign trade. But men's motives are seldom unmixed, and without doubt the manufacturers are not wholly untouched by some of a lower order. They realize that to preserve tariff protection for their industry, which has lived under a perpetual menace, they need all the political aid that they can get. And if the wool-growers should lose their own protection, while they might still profess the faith, they might not hear the call to battle for it. Therefore the manufacturers have cultivated good relations with the sheep men, and in every political campaign for half a century the two groups have been found fighting shoulder to shoulder.

There remains to be stated another motive for the manufacturer's toleration of the wool duties—one so little commendable that it has brought all their other motives under suspicion. This motive is to profit by a series of duties on their own products which, while nominally compensatory, do more than compensate. A duty merely sufficient to protect them against foreign competition would be of no avail, if at the same time the price of their raw material were enhanced by the tariff beyond that paid abroad. Therefore all imported manufactures of wool pay two duties; one aims to protect, the other to counterbalance the wool duty. Thus the ordinary cloth in a man's suit pays a protective duty of fifty-five per cent. *ad valorem* and an additional specific duty of forty-four cents a pound. The amount of the specific duty

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is based on the presumption that it takes four pounds of wool to make one pound of cloth. In fact, however, this is true of exceedingly few fabrics, and for most of them, even if made wholly of wool, the estimate is excessive. It is well known also that the greater part of the woolen fabrics that enter commerce are not "all wool." The amount of other material they contain varies from a very small percentage in a cloth where some vegetable fiber is used merely to give it a color pattern up to nearly the whole weight in a cloth where some wool is used merely to give it a name. Since, then, the same rates of duty apply to manufactures either in whole or in part of wool, the greater the admixture of cheaper materials, the greater the additional protection given by the specific duties, which in theory are only compensatory. Because of these specific duties the total payments at our customs houses last year on the better class of imported cloths amounted to about ninety-four per cent. of their value in Europe; on the cheaper kinds that were imported the payments rose to about a hundred and fifty per cent. of their value. Many varieties were altogether excluded. The cumulative rates on knit goods, blankets, women's and children's dress goods, and other fabrics are relatively as high. Such rates are practically prohibitory except for certain fabrics of very high finish and for specialties imported for the use of that well-known class of Americans who must have goods of foreign make regardless of price.

Manufacturers freely admit the inequality of our present specific duties, and would willingly see them amended, if they could be fairly adjusted on different sorts of goods. But this could be only partially and roughly accomplished. A duty sufficient to compensate the maker of a costly, lightweight, highly finished fabric is excessive when applied to goods made chiefly of cotton and shoddy, whereas a duty merely sufficient on these latter goods would do him great injustice. One slight concession to justice is made in our present tariff: if cloths are worth less than forty cents a pound, the compensatory duty on them is only thirty-three cents. But it is inconceivable that an appreciable amount of good wool goes into cloths of such low value, so that this rate is probably more excessive than is forty-four cents on goods of high grade.

Many of the present abuses would be removed by making

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the specific duties payable only on the actual wool content of the goods. The ascertainment of the wool content, however, would involve some difficulty, cost, and delay in all cases; and there is one case, at least, in which it would be impossible. This is the case of a fabric composed partly of fresh wool and partly of shoddy. Shoddy is the wool fiber obtained by cleaning and grinding woolen rags, a process that has become an important industry in this country and in Europe. Some grades of it are almost as useful as wool, and give more warmth and durability to cloth than most vegetable fibers. Other grades have lost most of the characteristics that make wool desirable, and are used mainly as an adulterant. No practical test, either physical or chemical, has yet been devised, except the actual wear that a fabric will stand, to detect the degree to which shoddy enters into its composition.

Enough has been said to show that accurate compensatory duties can never be assessed. Only an approximate fairness will be possible. If in seeking this approximation Congress keeps in view fairness to the makers of medium and low-grade goods, then the producers of finer goods will be severely injured through the tariff enhancement of the prices they pay for wool. On the other hand, if fairness to the latter class is sought, the present abuses can be only reduced and never abolished.

It is the difficulty of adjusting the compensatory duties that presents the strongest arguments against taxing imports of wool. In some respects wool is a particularly good object for a revenue tax. It is already imported in large quantities, and there is little doubt that unless the present duties are actually raised the imports must increase. That class known as carpet wool is not grown in this country at all, and our manufacturers annually buy abroad more than a hundred million pounds of it. Certainly in taxing this class the question of protection could not be raised, for although a small amount of it may be mixed with better qualities in cloths of rough finish, the quantity of American wool it displaces is negligible. Even at the present rates and as now administered the wool duties yield a revenue of about $20,000,000 a year, and there is no doubt that this sum could be increased. But whether or not the general principle of free raw materials be admitted as sound, it must at least be admitted that there is good reason why

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this particular raw material should not be taxed. In all other countries with any industrial development except Russia the importation of wool is free. Our tax on it therefore puts our manufacturers at an insuperable disadvantage in neutral markets, and it would have the same effect in the domestic market but for the compensatory duties. The importance of properly adjusting these duties becomes evident when it is remembered that while the annual value of our wool crop is less than $60,000,000, the annual output of our wool-using industries is more than $700,000,000. As they now stand our compensatory duties are a glaring abuse in our tariff system, and are responsible for much of the popular outcry against it. It seems, however, to be impossible to adjust them fairly, and to repeal them involves the total repeal of the duties on wool.

It follows from what has been said that whether they are studied with regard to their effect on the production or the manufacture of wool, the wool duties are without economic justification. But there are other considerations that should and do weigh with the legislator besides the merely economic. These are considerations of a political and of what may be called a humane character.

Whether it would be politically expedient to abolish the wool duties it is for the dominant party in Congress to determine. The wool-growers hold the balance of power in many States. They are effectively organized and are led by men of keen intelligence who have had long experience in politics, and they possess the courage and strength that come from a sincere belief in the righteousness of their cause. It has often been said that no party ever won a national election that antagonized the wool-growers. This may well be true in view of the fact that only once has any party legislated against them, and that party was in truth defeated. Even if their political influence now be relatively less than it once was, the lawmakers are likely to consider whether repeal of the duties will make enough friends to counterbalance the hostility it will arouse. Thus baldly stated such a consideration does not seem statesman-like in the highest sense. But it need not involve a degradation of ideals in those that heed it, for in every field of activity it is often necessary to temporize with some abuses in order to reserve strength for overthrowing others. No political party with great aims to fulfil can be expected to court

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defeat by attacking an abuse nearly as old as the nation itself, unless it can be shown that practical good will result from its overthrow. It may be that only a dead party, like a dead Indian, is a good one. But they are both alike unable to admit this, and therefore deprecate a too early apotheosis.

It is therefore of practical importance, and it is also right, to ask who will benefit by the repeal of the wool duties. The ready answer is, the consumers. And the answer is true, but not in the degree that is popularly supposed. In most fabrics the cost of the material they contain is a small part of the price the consumer pays for it. Thus the cloth in a typical men's suit that retails for twenty-five dollars requires about nine and a half pounds of raw wool of moderate shrinkage, and if it is of good quality the grower receives approximately two dollars and a quarter for it. The most ardent advocate of tariff reduction could not expect the removal of the duty to reduce this sum by more than the whole amount of the duty, that is, a dollar and five cents. Assuming that this occurred, and that the reduction were passed along through the successive stages of trade to the ultimate consumer, then this personage could purchase a twenty-five-dollar suit for twenty-four dollars. But the assumption is violent in both its parts. The cloth-maker who buys his wool at a lower price is not likely to give the whole benefit to the maker of clothing, nor he in turn to the retail merchant. And this last intermediary, knowing that his customers are verily creatures of custom, and that the ordinary purchaser of a twenty-five-dollar suit is little influenced by a reduction of four per cent., is perhaps least likely of all to change the price of his wares. Furthermore, the cloth-maker would by no means save the whole nominal amount of the present duties, if their removal enabled him to purchase abroad. It is quite true that wool can be produced in Australia, South America, and other countries much more cheaply than in the United States. In Australia, indeed, the average cost of production is less than the average cost in this country by nearly the full amount of the duties. But low costs are not followed by low prices unless the facilities for production are such that the supply can be increased so as to satisfy the increased demand at the low prices. As a matter of fact the facilities for producing wool are limited in all the chief countries that now contribute to the world's

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supply—so limited, indeed, that the price of wool abroad, in spite of our tariff, sometimes approaches very closely to the price in this country. There can be, and there will be some expansion in the wool production of the foreign countries that have been named, but the growth of population and the consequent greater demand will probably absorb any normal increase of output before the average price of wool from year to year feels the effect of larger production. Under these circumstances, much additional purchase of foreign wool by Americans would inevitably raise the foreign price; and while the exact amount of the rise is a matter of pure speculation, it is safe to say that it would be considerable. It is equally safe to say, none the less, that free wool would enable the manufacturer to effect some saving in the purchase of his supplies.

Whatever this saving might be, it is probable that in spite of the friction and complications of trade, competition is sufficient in most parts of this country to insure to the consumers the greater part of it. Also it is certain that the sum of these savings for the country as a whole would reach imposing dimensions and would loom large in the political addresses of those that have "saved the country" by creating it. But it would be so widely distributed that the share of the individual consumer would hardly be enough to rouse much enthusiasm. It is true that money talks, but the voice of the nickel is neither loud nor convincing. It might well happen, therefore, that the real benefit to the consumers would be forgotten in the disappointment that it was so much less than expected.

Under these circumstances the repeal of the wool duties requires courage and a steadfast faith in the principle of "tariff for revenue only."

There remains to be mentioned a consideration which is neither economic nor political, but which involves the element of humanity—that is, the effect of the removal of the duties on the wool-growers. If it would bring suffering and ruin to this important group of citizens, their situation should at least give us pause. Their past history and their present character are as meritorious as those of any other class of Americans. If tariff reduction is to be effected "without interfering with business," their business deserves as much consideration as any other. Of course, however, there cannot be an effective reduction of the tariff

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without interfering with business. The Democratic promise to the contrary must be understood to mean that the interference will not be such as to prevent business from adjusting itself to the altered rates without grave damage. The question is then, Can the sheep-owners make the necessary adjustment? From what has been said above this would not appear to be impossible. If the flock-owners are already being driven into mutton-raising; if on wool, their minor product, they now get a net protection of only half the nominal duties; and if the fall in price of this product caused by removal of the duties would not be great, then it is difficult to see how free wool could grievously injure them. On the other hand, there are many among them who are so situated that they cannot make the transition from wool to meat. These men are even now making small profits or none at all, and the loss of tariff protection would inevitably bring them ruin. Their condition, however, will never be materially better than it now is, so that unless the duties become perpetual, they must sometime fall a sacrifice to reform. Besides these unfortunates, there is a larger group who without waiting to test the effect of the change would despair of the situation and commit their flocks to the butcher at any price they could get. Their own financial loss and a serious diminution of the industry would be the result. The industry in time would recover, but for them the submersion would be too deep for revival. To the free-trader, perhaps, their panic calls for no sympathy. He would merely regret that in their case the casting out of a devil induced the identical act of certain other denizens of the field who when possessed of a devil ran violently into the sea and were drowned. But it should be remembered that their panic would not be wholly without cause, for removal of the duties would undoubtedly lower the price of wool. It should be also remembered that for generations they have struggled, voted, written, and otherwise worked to preserve these duties, until they are persuaded beyond the power of argument that their existence depends upon them. It may be that "the pain of death is most in apprehension"; it may also be that the pain of free wool is most in apprehension. Yet even so, the pain is real, and under apprehension men sometimes commit acts that bring on the very thing they would avoid.

There is no doubt, then, that the removal of the duties

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would greatly injure a considerable number of men in the sheep business. The industry as a whole, however, would not materially suffer; it would even make a substantial gain in being freed from the necessity of "playing politics" and relieved of the uncertainty and anxiety that will hamper it as long as the duties are there to be defended. There would be a temporary setback owing to panic, but forces that are already at work would soon build up the industry along new lines and on a more stable foundation.

The wool duties have always been the bloody angle in the tariff battles of the nation. A man's attitude toward them has at times been the test of his party alignment. They have been shibboleth to the protectionist and anathema to the tariff reformer. The statesman, the economist, the muck-raker, the merchant, the journalist, even the clergyman who prescribes our morals and the doctor who prescribes our underclothing—all have taken part in the hot and clamorous dispute. A calm study of the interests involved leads to the conclusion that on both sides there has been great exaggeration of the effect of the duties. It is possible that a compromise of the long controversy is now approaching in the guise of a revenue duty. It is greatly to be wished, however, that a more definite settlement could be reached; and the terms of the settlement are not in doubt, for in weighing the arguments pro and con the balance leans heavily to free wool.

THOMAS W. PAGE.

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THE COMMERCE COURT

BY ASSISTANT TO THE ATTORNEY-GENERAL JAMES A. FOWLER

UNDER the interstate commerce law as it existed prior to the passage of the Act of June 18, 1910, in addition to criminal and penal actions, proceedings to compel the attendance of witnesses before the Commission, and actions to recover from carriers damages awarded by the Commission, cases of the following classes might be brought:

First. Actions for specific enforcement of an order of the Commission, other than for the payment of money.

Second. Actions to enjoin, set aside, annul, or suspend, in whole or in part, an order of the Commission.

Third. Actions to enforce an observance of the published rates for carrying passengers or freight, and to compel a discontinuance of forbidden discriminations.

Fourth. Mandamus proceedings to compel the transportation of traffic and the furnishing of cars and other facilities to a complaining relator, and on application of the Attorney-General at the instance of the Commission, to compel an observance of any provision of the Act.

Prior to the Act of June 29, 1906, known as the Hepburn Act, if the Commission found that a carrier was guilty of unjust discrimination and ordered its discontinuance and the carrier was unwilling to abide by the order, it was necessary for the Commission, or some party in whose interest the order was made, to bring an action for its specific enforcement. Furthermore, the findings and order of the Commission were only *prima facie* evidence of the facts therein stated, and therefore in such proceedings all questions of fact were again contested before the Court. Hence, while a number of cases had been brought to enforce orders of the Commission, but very few, probably none, had been instituted to annul such an order. By the Hepburn Act, not only was an order of the Commission made conclusive

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as to all questions of fact, but it was provided that any carrier, or its representatives, who should knowingly fail or neglect to obey any order fixing a maximum rate or against unjust discrimination should forfeit to the United States the sum of five hundred dollars for each offense, and that each distinct violation should be a separate offense, and that in case of a continuing violation, each day should be deemed a separate offense. In consequence of this provision it was no longer necessary for the Commission to bring actions to enforce orders of this character, but when the carrier believed that for any reason the order was to any material extent invalid, it brought a suit to set aside or annul such order in whole or in part, and usually sought a temporary injunction suspending the order until the termination of the litigation.

In the report of the Commission dated December 24, 1908, it was said that prior to July, 1908, only one suit had been filed to set aside an order of the Commission, but that since that date sixteen suits had been brought for that purpose, and that few orders of much consequence would be permitted to go without contest, and that in twelve of the cases brought preliminary injunctions had been prayed for which had been granted in six and refused in six. In the report of the Commission presented a year later it appeared that out of the seventeen cases referred to in the former report but one had been decided by the Supreme Court.

During the recess of Congress in 1909, by direction of the President, the Attorney-General prepared a bill embodying his views as to proposed amendments to the interstate commerce laws; and on January 7, 1910, the President transmitted to Congress a special message, in which he recommended among other things the creation of a special Court to be composed of five Circuit Judges, which Court should have jurisdiction over the classes of cases above enumerated, and offered to furnish to the appropriate committee on request a draft of the bill prepared by the Attorney-General. This draft formed the basis of the measure which, after lengthy and heated debate, became a law on June 18, 1910.

The jurisdiction of the Court thus created extends to the classes of cases as recommended by the President. To compose the membership of the Court the President was directed to appoint, by and with the advice of the Senate, five addi-

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tional Circuit Judges, no two of whom should be from the same judicial circuit, and who should be designated to serve for one, two, three, four, and five years, respectively. Thereafter, on the expiration of the term of any member, the Chief Justice of the United States designates for another period of five years his successor from among the Circuit Judges of the United States, and all vacancies are filled for the unexpired term by the Chief Justice from the Circuit Judges, and after the year 1914 no Judge can be redesignated until the expiration of at least one year from his previous term of service. The Court is presided over by the Judge first designated for five years, and thereafter by the senior member. If at any time the business of the court does not require the services of all the Judges, the Chief Justice may permanently terminate the assignment of any of them, or assign them for service temporarily in any District Court or Circuit Court of Appeals, but a concurrence of a majority of five Judges is necessary for a decision. When the designation of a Judge is permanently terminated he returns to the Circuit from which he was appointed. The Court is required to be always open for the transaction of business. Its regular sessions are held in Washington City, but the power of the Court, or any Judge, or of any of its officers, may be exercised anywhere in the United States; and to expedite the work and to prevent undue expense or inconvenience to suitors the Court is required to hold sessions in such parts of the United States, as may be found desirable. That carriers may be promptly and easily served with process they are required to designate some one in Washington City upon whom notices and processes may be served.

All actions which but for the Act would be brought by or against the Interstate Commerce Commission must be brought by or against the United States, and the United States may intervene in any other case in which public interest is involved. The Attorney-General has charge of the interests of the United States in all cases pending before the Court, and may appoint special counsel to look after such interests. In any action involving the validity of an order of the Commission any party in interest to the proceedings before the Commission may appear as parties of their own motion and as of right and be represented by counsel; and all communities, associations, corporations,

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firms, and individuals who were interested in the controversy before the Commission out of which the action grew, or in any suit brought under the Interstate Commerce Acts, relating to the action of the Commission, may intervene at any time; and the action cannot be disposed of or discontinued by the Attorney-General over the objection of an intervenor, but an intervenor may prosecute, defend, or conduct the proceedings unaffected by any action or non-action of the Attorney-General. The utmost simplicity in pleading is sought. An action is begun by filing in the office of the clerk a written petition "setting forth briefly and succinctly the facts constituting the petitioner's cause of action, and specifying the relief sought." A motion to dismiss the petition, as not setting forth a cause of action, may be filed at any time before answer. Unless the time is extended by the Court or a Judge thereof, answer must be filed within thirty days after the petition is served, "which answer shall briefly and categorically respond to the allegations of the petition." No replication is necessary, and objections to the insufficiency of either the petition or answer may be made on the hearing. No order can be made suspending an order of the Commission pending the final hearing otherwise than upon notice and after hearing, except where irreparable damage would otherwise ensue to the petitioner, the court or a judge thereof may on hearing, after not less than three days' notice to the Commission and the Attorney-General, allow a temporary stay in whole or in part of the order for not more than sixty days pending application to the court for its injunction, in which case the order shall contain a specific finding based upon evidence submitted to the judge making the order that such irreparable damage would result to petitioner, and specify the nature of the damage. From an interlocutory order granting or continuing an injunction restraining the enforcement of an order of the Commission an appeal may be taken to the Supreme Court of the United States within thirty days after the entry thereof. An appeal from any final decree may be taken to the Supreme Court by any aggrieved party within sixty days after its entry. Such appeal does not supersede or stay the judgment appealed from unless the Supreme Court, or a Justice thereof, shall so direct; and appeals from this Court have precedence in hearing in the Supreme Court over all other cases except criminal causes. The Com-

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merce Court may direct the original record instead of a transcript thereof to be transmitted to the Supreme Court.

The powers and methods of procedure of the Court are thus given in some detail that it may appear that every precaution was taken to simplify the proceedings, to hasten the final determination of causes brought therein, and to safeguard the rights and privileges of every party interested in any matter of controversy before the Court.

In the long session of the Sixty-second Congress a bill abolishing the Court and restoring jurisdiction to the Circuit Courts was introduced in the House and referred to the Committee on Interstate and Foreign Commerce, and a majority of the Committee filed a report strongly favoring the passage of the bill. Subsequently, in the legislative, executive, and judicial appropriation bill a provision was inserted repealing those sections of the Act of June 18, 1910, by which the Court was created, and the bill while in this condition thus passed both Houses of Congress, but on the 15th day of August, 1912, it was vetoed by the President because it contained a provision vitally modifying the Civil Service regulations, and also this provision abolishing the Commerce Court. The bill was again passed by Congress after eliminating the Civil Service feature, but on the 21st day of August, 1912, it was again vetoed by the President solely because it contained the provision abolishing the Commerce Court.

It is apparent, therefore, that there was a very radical difference of opinion as to the utility of this Court between the President and those members of the Sixty-first Congress who voted for its creation on the one hand, and a majority of the Sixty-second Congress on the other; and as it is a matter which vitally concerns the public welfare, a brief consideration of the reasons advanced for and against the Court, both at the time it was established and when the measures for its abolishment were pending before the Congress, may be of value.

The principal reasons assigned in favor of the Court were that it would secure (1) a more expeditious hearing and determination of cases, (2) uniformity of decisions, (3) judgments less likely to be erroneous, and (4) a more economical and convenient method to litigants. These reasons will be considered in the order mentioned.

1. Before the creation of the Court the venue of an action

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brought for the enforcement of an order was in the district wherein the carrier violating the order had its principal operating office, or in which the disobedience of the order happened; of an action to annul an order, the venue was in the district in which the principal operating office of any carrier against whom the order was directed was located, unless such office was in the District of Columbia—then in the district of its principal office; and of an action to compel observance of published rates or to prohibit discrimination, the venue was in the district wherein the violations were committed in whole or in part. As to actions to compel by writ of mandamus the observance of the provisions of the interstate commerce law and to require carriers on application by a relator to furnish facilities to carry traffic on equal terms with other shippers, no specific provision was made, and such an action was apparently required to be brought in the State granting the carrier's charter, and in the district thereof wherein the organization of the carrier was maintained. Therefore, these cases were scattered through a large portion of the United States, the greater number, however, being brought in those districts wherein most carriers had their principal operating offices.

In the Hepburn Act Congress had declared it the duty of the Attorney-General to file in all cases of this character a certificate that in his opinion the case was one of general public importance, as provided for in the Statute known as the Expedition Act. On the filing of such certificate the case was required to be given "precedence over others, and in every way expedited," and was set for hearing, both finally and for application for temporary injunction, before not less than three Circuit Judges, some of whom under certain circumstances might be District Judges. From an interlocutory order granting or continuing an injunction an appeal could be taken direct to the Supreme Court within thirty days; and from a final decree, such appeal could be taken in sixty days; and in the Supreme Court the case took priority in hearing and determination over all other causes except criminal causes. Congress had therefore done about all that could be done to hasten the final disposition of such cases, except to establish a Court whose one and special duty was to hear cases of this character. Notwithstanding all these statutory provisions, the hearings of the cases were not greatly hastened. This was the result of the sys-

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tem. The litigation being scattered in various parts of the country, the attorneys looking after the cases could not keep them well in hand, and the District Attorneys were usually unfamiliar with both the facts and the principles of law involved. Some of the courts in which many of the actions were brought had crowded dockets, and it required their entire time to prevent a further accumulation of business, and therefore they were not inclined to expedite these cases on their own initiative, but to the contrary responded slowly to pressure brought to bear by the litigants. Hence the speed at which they progressed was not satisfactory. That the Commerce Court has fully met the claims of its advocates in this respect, there can be no doubt. In a statement showing a comparison between cases brought and disposed of under the two systems submitted by the Attorney-General to Congress it appeared that prior to November 1, 1912, seven cases had been heard by the Supreme Court under the Circuit Court plan, and six under the Commerce Court plan. Under the former system the shortest period between the institution of a suit and its argument in the Supreme Court was nine months, and the longest period was three years and thirty days; while under the latter system the shortest period was four months and twenty days, and the longest was one year one month and twenty days. The average period under the former system was one year nine months and six days, while under the latter it was nine months and about eight days—or an average difference between the two of one year. When it is remembered that a few days' additional delay may entail great financial loss upon a carrier, or possibly put out of business a complaining operator of an industry on a carrier's line, and that the life of an order of the Commission is only two years, it will be seen what the average additional delay of a year means to the great transportation and industrial interests of the country, and also to the public in general, for while the public's interests may be indirect, yet it is upon the public that the burdens of high rates and unjust discrimination finally fall.

2. The establishment of the Commerce Court also secures uniformity of decision in cases falling within its jurisdiction. As actions presenting the same questions were previously brought in different circuits the decisions of the lower courts were not uniform in principle. But the dis-

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advantages arising therefrom were greatly reduced by the fact that an appeal lay as a matter of right direct to the Supreme Court. However, while the hearings of these cases on appeal from the various Circuits by the Supreme Court secured with reasonable promptness uniformity in the *principles* upon which they were decided, yet it did not secure real uniformity of decision, because each Judge possesses his own peculiar bent of mind, and there exists a broad latitude in applying a certain principle to a particular case.

3. A special Court after it has been established for a time is also more experienced in this branch of the law, and better qualified to render a prompt and correct judgment. In its report upon the bill introduced to abolish the Commerce Court the majority of the House Committee on Interstate and Foreign Commerce took the position that it required no expert knowledge of Judges to decide the questions presented in the classes of cases heard by that Court. What was meant by expert knowledge the Committee did not undertake to define. That this is a very distinct branch of the law no one will deny. Furthermore an examination of the opinions of the Supreme Court delivered in interstate commerce cases will show that the questions presented have been among the most intricate and difficult of solution that Court has ever had before it, which fact is further evidenced by the comparatively numerous reversals of the decisions of the lower courts. A mere glance at the many provisions of the Statutes and a consideration of the vast transportation systems of the country and the enormous flow of interstate traffic, which is yearly increasing by leaps and bounds, will clearly indicate the many and difficult questions that must be presented to any Court or Courts upon which is imposed the duty of passing upon the validity of the orders of the Interstate Commerce Commission, and by mandamus proceedings to compel an observance of the provisions of the law. It is evident therefore that there must be a great advantage in trying these cases before a Court which is familiar with the Statutes and their construction, so far as they have been construed, rather than before Courts which must be instructed in each case in the rudimentary principles of the law.

4. Whether or not it is more economical and convenient for the litigants to prosecute their actions before the Commerce Court is of such little importance as compared with the

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despatch of the business and the qualifications of the Court that it is hardly worthy of consideration. For the cases all to be heard by one Court which has its principal sessions in Washington is undoubtedly more convenient for the Government and the Commission; and as one of the Judges assumes charge of and adapts himself to the convenience of the parties in the taking of evidence, the one method is probably about as convenient to the carriers and shippers as the other.

The principal objections urged against the Court were:

First. That a special Court fails to take as comprehensive a view of questions as Courts who are accustomed to pass upon a great variety of subjects. In other words, that a special Court is a narrow Court.

There is force in this argument if the members of the Court be taken from lawyers who have specialized in that branch of the law and be without experience in other branches, and especially if their tenure be permanent and their work confined to that special class of cases. Every lawyer who has had a varied practice knows how principles controlling one branch of the law may be equally applicable to an entirely distinct branch. But certainly this criticism cannot be justly directed against this Court as now constituted, and as it must under the present method be constituted in the future. It is composed at present of four* Judges, only one of whom has specialized in interstate commerce law, and he for years had been a member of the Interstate Commerce Commission, and was its Chairman when appointed. Certainly it was quite proper for one member to be what might be termed an expert. Two had for a number of years been United States District Judges, and the other member was a Judge of distinction on a State Court. After 1914, each year a new member will be drawn from among the Circuit Judges, and the several members will from time to time be required to do much general work on the Circuits. Hence, this criticism is entitled to no consideration whatever.

Second. That the Court will necessarily become prejudiced against the Interstate Commerce Commission, as that body will be continually under attack before it.

It might as well be urged that the Court will become

* At this writing the vacancy caused by the successful impeachment of Judge Archbald has not been filled.

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prejudiced in favor of the Commission, as on one side of each case brought to annul one of its orders its action will be praised, while on the other it will be criticized. Opposing counsel can very well be left to offset any special feeling either for or against the Commission.

Third. That there is not sufficient litigation to justify the existence of the Court.

Since its organization the Court has devoted fully half its time to hearing and considering these cases. Furthermore, interstate commerce law is in its infancy. The first Statute was enacted but twenty-six years ago. And when one considers the vast powers of the Commission, the continuous exercise of which results in many orders vitally affecting the transportation, industrial, and commercial interests of the country, and also the character of complaints independent of any action of the Commission over which the Court has jurisdiction, it is apparent that actions will increase in number rather than diminish. Moreover, in the above-mentioned report of the House Committee on Interstate and Foreign Commerce, it was declared that there is sufficient work on the several circuits to which the members of the Court belong to occupy their entire time. Hence, the establishment of the Court did not create useless judgeships; and as this work must be performed by some Court or Courts, it is better that it be done in such a way as to least interfere with other litigation.

Fourth. That the existence of the Court tends to centralize power in Washington.

No member of Congress undertook to show how the fact that its headquarters are in Washington can render it less efficient. Both the executive and legislative branches of the Government are centralized in Washington, and the head of the judiciary has always been located there, and their efficiency has never been questioned on that account.

Other objections were that it produces additional expense, and that it will be favorable to special interests, and be the object of popular suspicion and criticism. However, the total expense of the Court is only about thirty-five thousand dollars per annum, a sum so insignificant in relation to the interests involved that it deserves no consideration; and the Court is no more likely to favor special interests, or to be the object of popular suspicion or criticism than any other Federal Court.

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In the report of the House Committee heretofore referred to objection was strongly urged against that feature of the bill creating the Commerce Court which requires the actions theretofore brought by or against the Interstate Commerce Commission to be brought by or against the United States, and places the interests of the Government in charge of the Attorney-General. In fact, the criticism was principally directed against a supposed suggestion of the Attorney-General on the hearing before the Committee that in suits wherein its orders are attacked, the Commission ought not to be represented by its own counsel; and it seemed to be thought that the fact that such a suggestion had been made was an argument in favor of the abolishment of the Court. But under the Statute the Commission has the right to, and in fact does, intervene in every case, and the Attorney-General cannot take any action in any case which can prejudice the rights of the Commission or any intervening individual without its or his consent.

In the proposed repealing act it was provided that all actions now brought by or against the United States should be brought by or against the Interstate Commerce Commission, who were to employ a solicitor to have full charge of all such litigation; and while interested parties were to be permitted to intervene, yet no protection of their interests was provided against the dismissal of the case or other action of such solicitor, as now exists against the Attorney-General. Thus, notwithstanding the great public interest in the questions involved in these cases, the Department of Justice was to be entirely excluded from appearing in them. Which plan is the more reasonable, the one excluding the Commission, or the one excluding the Department of Justice from such representation? There is certainly force in the reason advanced by the Attorney-General that the action of the Commission is like unto that of a Court, and its appearance in Court in defense of its order is analogous to the action of a Court in defending in person its judgment when attacked in an Appellate Court. The reply that it is a legislative body, and that no appeal lies from its action to the Commerce Court but the attack is collateral, is technical and not substantial. In fixing a reasonable maximum rate, or prescribing what course of conduct would be non-discriminatory, its action is legislative; but at the same time it must determine, as every Court determines for itself,

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whether it is proceeding within the limitations of its powers. This is a question of law; and the question whether an order of the Commission amounts to a confiscation of the carrier's property in violation of the Constitution is one of law and fact; and those are the questions reviewed by the Courts in proceedings attacking an order. In fact, the mere legislative acts of the Commission are not reviewable. Hence, the analogy between the appearance of the Commission and of a Court by counsel when its judgment is attacked is very close. On the other hand, the United States, through a representative of the Department of Justice, is required to prosecute all criminal violations of the Act, and it is a general principle that in litigation of general public interest, such interests are looked after by the Attorney-General or some one subject to his direction. Therefore, if either should be excluded from representation clearly it should be the Commission. But is it not altogether proper that both the Department of Justice and the Commission be represented in these cases? They are of great importance, and it is helpful for their proper decision that they be presented from every standpoint. As said by the majority of the Committee, the Commission have made a special study of the principles upon which the order rests, and counsel familiar with the proceedings before that body can best present those principles from their point of view. On the other hand, the Department of Justice can assume very much the same attitude as the Court itself. Furthermore, it sometimes happens that the Commission construes some feature of the law favorably to the carrier, but on other grounds finds against it. In such a case the Commission cannot consistently claim that its order is justified under a different construction of the law, while the Department of Justice has no such embarrassment. Experience has already demonstrated that either the representative of the Department of Justice or counsel for the Commission may raise a question not relied upon by the other which the Court may consider as determinative of the case. Hence, the present method which provides for representation by both the United States and the Commission is, I think, preferable to the exclusion of either.

Sentiment against the Court has also been intensified by the fact that upon its organization it took what many believed to be too narrow a view of the powers of the Com-

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mission and too broad a view of its own powers, and therefore nullified both temporarily and permanently many orders of the Commission. But this criticism is equally applicable to the Circuit Courts, in whom it is proposed to reinvest jurisdiction. Twenty-five applications for temporary injunctions have been made to the Commerce Court. Of these twelve have been denied, seven granted, and six are still pending. As shown by the report of the Interstate Commerce Commission in 1908, out of twelve applications theretofore made to the Circuit Courts for temporary injunctions six had been granted. It is true that out of twelve cases decided by the Supreme Court on appeal from the Commerce Court ten have been reversed, but as they were the first cases heard by the Court and there were seven reversals out of eleven appeals from the Circuit Courts, this but demonstrates that this branch of the law is an intricate one, and shows the advantage in having the cases heard by a Court familiar with its principles. The Court will, of course, at once adapt itself to the views of the Supreme Court, and if permitted to continue criticism of its action will doubtless soon cease. As the matter is one of such moment to the public, it is to be hoped that Congress will take no hasty action but permit the Court to continue for such a length of time as will fully demonstrate either the efficiency or inefficiency of the system.

JAMES A. FOWLER.

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THE AWAKENING OF AUSTRIA

BY MRS. BELLAMY STORER

No country of Europe is so misunderstood in the United States as the Empire of Austria-Hungary. Our American newspapers are incessantly filled with misstatements, both with regard to the future stability of Austria-Hungary, as a united government, and to the personal character of the next Emperor, the Archduke Franz Ferdinand. Most of these assertions could not be more misleading if they were made with malice aforethought.

My object in writing this article is to correct these errors and to explain, as well as I can, the reasons why the future prosperity of the Austrian Empire is a matter of importance to the whole civilized world.

In the United States there always has been a decided preference for Hungary, as distinguished from Austria. It comes, perhaps, from highly colored and romantic ideas connected in our minds with the latter country, with its rhapsodic "*Zigeuner Musik*" and bewildering national dances—its galloping steeds "shod with fire," and above all, its impetuous and perpetual struggle for "liberty."

The most conspicuous malcontents in the kingdom of Hungary have hitherto been the Magyars, who claim to be the only important inhabitants of Hungary. The plain truth, however, is that this hot-blooded race needs the curb and restraint of authority and law and order. It inclines toward carelessness in religion, and the inevitable consequence has been a loose morality, which has manifested itself in ruinous gambling and lax marriage ties, as the result of the measure of independence in legislation and personal conduct which Hungary possesses as a distinct kingdom. It is a seething populace, because of its ardent semi-Oriental temperament, but the continual tempests do no harm to the Hungarian teapot, so long as the Austrian

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lid can be kept on. Even the clever politicians who pose as "Hungarian patriots" (some of whom have come over here of recent years, to try to glean a sort of aftermath from the American harvest of old Kossuth of blessed memory), know full well that Hungary could not exist as a *separate* kingdom, but would speedily be cut to pieces and wiped out of existence: for Hungary as a nation is even more composite than Austria, and has more antagonist races living within her territory. The Magyars themselves are in the minority, speaking numerically, but they make the most noise, and belong to the governing class. I find it a common impression among Americans that *Magyar* means a magnate, or else a nobleman of high degree—in Hungary—whereas it means only the descendants of the Finno-Ugrian race—as distinguished from the Croatian, Slavonian, Roumanian, and Ruthenian (or little Russian); all of which different races make up the population of the kingdom of Hungary.

Within the last few weeks, we have seen the Slav population of Hungary elated by the Balkan turmoil, trying to push forward with a demand for "*Triality.*" There would be no end to the splitting up of races, if Austrian domination could once be overcome—and of course, it would all end in complete disruption.

We Americans know by our own experience as a nation composed of many different races, which went through fire and blood to preserve its identity, that a divided North and South would have meant further dismemberment and unending contention. For similar reasons, neither Magyar, nor Slav, nor Croatian, nor Roumanian, nor Ruthenian will ever find peace on earth except under the centralization of the Austrian rule.

In Hungary, the language which prevails is the Magyar —or what we call the "Hungarian" language. Austria permits this because the Magyars are passionately attached to it—as they are to their native poetry and dances and music. But no more outrageous and absurd pretension was ever made than the demand of the Hungarians, several years ago, that the Austrian army in Hungary should be drilled in Magyar.

No government in the world could tolerate a division of its army into two semi-hostile bodies. The excitable Hungarians, however, were so stirred by Austria's refusal to

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grant this request that, eight years ago, when we went down to Budapest from Vienna for the annual Court Ball, while the population did not dare to insult the Emperor personally, from the balcony of our hotel I could hear the crowd beneath roar and hiss under its breath (and a queer growl it was) when the Imperial band marched through the streets playing the national hymn, "*Gott Erhalte Franz den Kaiser,*" because the words of the hymn are German, and they wished to display their hatred of the German language.

When old Kossuth stirred our nation's heart in the early days, it was at a time when our ardent young country warmed toward every attempted declaration of independence, and when we saw in the very name of "Republic," the only guarantee of the rights and privileges of man.

Alas! we have learned much since that period of our history, both from others, and from our own experience, and Madame Roland's often-repeated exclamation, "*Liberté, que de crimes sont commis en ton nom!*" has become a mere truism. Nearer home, I remember also an assertion made by one of our greatest statesmen, Thomas B. Reed: "There is no tyranny to be compared to the tyranny of patriots (self-styled) in a Republic!" We have had in our own country some notorious examples of this fact, since Mr. Reed spoke these words to me, just before the declaration of war with Spain.

Always we come back to one fundamental truth: that every government of mankind must be founded—whether it be Empire, Kingdom, or Republic—upon religion and morality.

Religious people are awakening everywhere to the tyranny of aggressive anti-religious Socialism, a republican and democratic evil which is sapping the foundations of family life and of all the other social institutions which must be based upon faith in God, and without which no government on the face of the earth can maintain either law, order, or authority.

General Washington's words in his farewell address to the people of the United States are true for all time, as well as for the epoch in which they were spoken:

"Of all the dispositions and habits which lead to prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars

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of human happiness, these firmest props of the duties of men and citizens. . . . Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle."

Bearing these words in mind, we have only to glance at the so-called "Liberal" movements in Europe, to see that the subversion of monarchy there means to-day an open declaration of war against religion and morality.

The Republics of France and Portugal are the most conspicuous instances of this obvious fact, because France has begun to reap the harvest of her atheistic system of education, and Portugal is gleaning eagerly from her fields. Spain and Italy, too, are busy sowing the seeds of a French "progressivism," which began before the Revolution. Perhaps it would be well for us, in the United States, to know something about its origin. The word was coined in France; we have only translated it.

Shortly before his death, Mirabeau carefully prepared a speech upon the rights of succession, which was to be the proclamation of a new doctrine called "*Progressivisme.*" He had neither the time nor the strength to deliver it himself, so he selected Talleyrand to be its mouthpiece in the Assemblée Nationale. Mirabeau's speech was read by Talleyrand on April 4, 1891, and "*Progressivisme*" came into being.

This new movement struck at the root of all dependence on God. It was an effort to substitute the State for the parents: to upset God's institution, the family, and to rob fathers of the right to educate their own children. The Assemblée Nationale took up the idea with enthusiasm, and the radical government in France to-day has based its tyranny over the rights of parents, and its method of child education upon Mirabeau's "*Progressivisme.*" For further details on this interesting subject, one has only to refer to Paul Bourget's essay "*Idée de famille*"—which forms the preface to his recent play "The Tribune." Bourget says that it seems appropriate that the father and the sponsor of "*Progressivisme*" should be Mirabeau —a bad son and a bad father and Talleyrand a renegade priest. In the United States our system of education without religion in the public schools is giving occasion for much anxiety.

The Hon. Bird S. Coler is president of a society organized for the "Protection of Church School." He has recent-

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ly written a very interesting book, *Two and Two Make Four*. With regard to what he considers to be the direct outcome of State education without religion both in France and in the United States, Mr. Coler says: "The result is an increase in illiteracy in France, and a deterioration in the quality of education here, considering the matter from a secular standpoint; and a riot of murder and lawlessness in Paris and New York, considering the moral aspect."

Many other thoughtful religious men in America to-day are uttering timely words of rebuke and of warning, which should arouse the attention of our careless people. The Hon. Thomas R. Marshall, Vice-President of the United States, in an address delivered before the Federal Council of the Churches of Christ in America, at Chicago on December 6th last, asserted that, "The evasion of the duty of parents to instruct their children in their religion has resulted in irreligion and in wayward children."

That the children of Christian parents should have a religious education—that their souls as well as their minds shall be trained—has become a matter of most vital importance to the whole of Christendom, both in America and in Europe.

I am not really straying from my subject, although I may seem to be. Last September when the Eucharistic Congress was held in Vienna, there was a great religious awakening throughout the entire dominion of Austria-Hungary. On the Sunday which closed the Congress, a magnificent procession marched through the streets of Vienna, one hundred and fifty thousand strong—amid a throng of hundreds of thousands of spectators — and all this happened under a pouring rain, which had lasted through the entire week. It was a striking manifestation by the entire nation of their faith in God and their devotion to their Church. It made me feel more sure than ever before, that the peace and prosperity — even the existence — of Christian civilization depends in Europe, and will depend, upon the friendly political alliance of those two great Christian Empires: Catholic Austria and Protestant Germany. Their united power alone can curb or overcome the great evil of Socialist "progressivism." People talk a good deal of the impossibility of keeping together the Austrian Empire after the death of the present Emperor, because of its warring races—but I believe that the Catholic faith, which they all hold in common,

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must link them more closely as time goes on, and as the outside dangers of Socialist atheism come nearer and nearer.

The same situation with regard to religion will find its parallel also in Germany, where human discords among differing Christians must fall silent in the presence of their common enemy, godless Socialism, which must be striven against by Catholic and Protestant alike.

There has been lately a good deal of complaint about Protestant injustice to Catholics in Germany; notably with regard to the bill laid before the Prussian Diet in 1908, permitting the compulsory expropriation of Polish landowners (even though Prussian subjects) in favor of German purchasers. There is no doubt with regard to the unnecessary severity of such measures for Germanizing the Poles, or to some other acts of intolerance toward Catholics on the part of the Imperial Government, but the religious situation has certainly improved in Germany since the "*Kultur-Kampf*"—and bitter animosity on both sides could do no greater harm to Christianity than to inflame German Catholics into hatred of the government under which they live—and to bring about an alliance in Germany between Catholics and Socialists.

The Socialist powers are ready enough to cater to discontent, and make promises of toleration—but no one who has watched the growth of irreligion in France can doubt for a moment that political discord between French Catholics has been the one great strength of the atheist government: for a united Catholic majority could have overcome radical tyranny without much effort years ago: but the united infidel "*Bloc*" was able to overthrow a house divided against itself, and trample underfoot the dwellers within it.

By an exactly similar method of disruption, the atheist radicals of Germany (following the successful example of France) are striving to set Protestants and Catholics by the ears, knowing well that nothing can help a godless Socialism more surely than an enemy divided into two religious camps, actively hostile to one another. That German Catholics should uphold the Imperial government is the only guarantee of their own religious rights and privileges.

A few prominent French Catholics, unfortunately, in spite of the religious persecutions of their own government, are still keeping alive a rancor against Germany, and have

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been striving to stir up bitter feelings both at home and abroad, because of the injustice shown to Polish Catholics by Prussia, complaining especially that the "little children are forbidden to pray in Polish." But a well-known French statesman has very properly suggested that Catholics in France should first attend to cleaning their own nest, remarking:

"We are in a more wretched state than the Poles. In Poland it is the foreigner who is the oppressor. In France it is Frenchmen. The rulers of France are determined that no one, young or old, man or woman, priest or layman, shall *pray in any language,* and in case of resistance the Government simply seizes the churches and schools and sends their owners adrift on the wide world. Moreover, the Prussians at least make a show of compensation. Not so in France."

To foment Catholic discontent in Germany, in the hope of a *revanche* and to promote an alliance between the German infidel Socialists and Catholics is a policy not only un-Christian but very short-sighted as a matter of mere worldly prudence.

The Emperor of Germany is, first of all, a *Christian.* That fact to the German Socialist constitutes the head and front of his offending; and not at all the mere circumstance that he is a *Kaiser.* Were he a "progressive" Emperor, bent upon spoils and persecuting religion, like the tyrants who have misruled France during the last thirty years, the German atheist would be shouting to the skies, "*Hoch soll er leben!*" Small wonder that the Socialist party in Germany and everywhere outside is not enthusiastic over an Emperor who speaks such words as were uttered by the Kaiser in an address delivered on February 9th at the Berlin University. The Emperor warned his people that "the Germans of to-day are too much inclined to believe only in tangible things, and to place stumbling-blocks in the way of religion." He advises the youth of Germany "to forge in its fire the tried sword and shield of faith"; and he declared that "With such weapons, looking neither to the right nor to the left, we will go our direct way, eyes uplifted and hearts uplifted, with trust in God."

Upon the important subject of the loyalty of German Catholics to the Empire it is enlightening to read of the speeches made when the newly appointed Archbishop of Cologne swore the oath of allegiance to the Emperor William on February 13th.

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"The new Archbishop of Cologne, Dr. von Hartmann, who was elevated to the See in succession to Cardinal Fischer last autumn, swore the oath of allegiance to the Emperor William to-day in the Knight's Hall of the Royal Castle. He was introduced to his Majesty, who was accompanied by the Imperial Chancellor, and by the Prussian Minister of Education, and swore his oath of loyalty as 'called with the gracious consent of His Majesty to the See of Cologne by the election of the Chapter confirmed by the Holy Father.' He said that, inspired personally since his early years with a sense of loyalty to the dynasty, he would do his utmost to shield and cultivate this sense in the hearts of his flock. 'The bolder and more desperate were the attacks of the powers of revolution and negation which beat round the bases of the Throne and the altar,' the more instant was this task of his. Referring to a stained glass window presented last year by the Emperor William to Cologne Cathedral, which represents Pope Leo. III. appealing for protection to Charlemagne, the Archbishop expressed the hope that the Emperor William would extend to his subjects of the Catholic Church the same gracious favor which Charlemagne had given. In reply, His Majesty assured the Archbishop of his Royal favor and benevolence. Alluding also to the subject of the window in Cologne Cathedral, the Emperor William said:

"'This historical event is an instructive example of the blessing which there is in relations of confidence between the Church and the supreme upholder of the power of the State, and at the same time it conveys a serious warning. Your conduct of office hitherto makes me confident that, mindful of this warning, you in your new dignity will instruct your clergy and your parishes to link with attachment to your Church true devotion to me and to my House, warm love for the German Fatherland, and obedience to the authorities ordained of God.'"—*The "Times," February 14, 1913.*

There can be no doubt that the safeguarding of religion and morality will depend in Europe upon the strength and authority of these two allied Christian Empires, more than upon any other foreign powers, and the next Emperor of Austria becomes therefore a personality of world-wide interest.

With regard to the life and character of the Archduke Franz Ferdinand most erroneous ideas seem, as I have said, to prevail in the United States. Some of these false statements were encouraged some years ago by enemies at home, who sought to promote disaffection.

The Archduke Franz Ferdinand is a manly man and a Christian gentleman. Until within the last few years he has had very little to do with public affairs. This circumstance gave the enemies of Austria a chance to prophesy discord for the future; but since that time it has been remarked with great pleasure by those Austrians who have always been friends of the Archduke, that many political

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personages who have not known or appreciated him are beginning to understand him, and to admire him more and more, because they come nearer to him since he has occupied himself with affairs hitherto reserved for the Emperor alone.

The Archduke Franz Ferdinand loves the open air and the quiet of a country life, and is an enthusiastic hunter. His wife, the Duchess of Hohenberg, belongs to one of the oldest families (what is called the "Uradel" or ancient nobility) of Bohemia. Her father, Count Chotek, was for many years in the Austrian diplomatic service, and she has had a liberal education and experience in foreign countries. She speaks both English and French perfectly and is in all ways a remarkably clever, as well as a beautiful woman. The "interior" at the Belvedere Palace is ideal; the Archduke is seen there as a happy husband and father; the children are sweet and carefully trained. It is a wholesome atmosphere—a noble example to every Christian family in the Empire. I remember well taking breakfast there once when the only other guests were the Prince and Princess Alfred Liechtenstein, and at the table only a few members of the Archducal household. Some very excellent ducks were passed as one course, and when the servant had gone around the table, the Archduke, on whose left I was seated, leaned back in his chair and said to the man, "I should like some of that duck cold for supper." Somehow, this small incident stands out in my memory as so simple, and what the Germans call "*gemüthlich,*" that I think of it whenever (as often happens), I am informed by people, who imagine they know all about it, that "the Austrians are stiff, formal, and arrogant" and that, "The Empire is going to fall to pieces as soon as the old Emperor dies."

I firmly believe that these prophets of evil may behold with their own eyes a great and growing Empire of Austria whose duration and strength shall be based upon the foundation pillars of religion and morality, those "indispensable supports" which General Washington declared to be "the firmest props of the duties of men and citizens." Who that sees and comprehends the dangers which threaten the whole of Christian civilization will not join in exclaiming, "*Gott erhalte Franz den Kaiser!*" in the future as well as in the present.

Mrs. Bellamy Storer.

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THE ROTTEN BOROUGHS OF NEW ENGLAND

BY CHESTER LLOYD JONES

If a member-elect of a State legislature tells you that he found it necessary in the recent election to secure the support of only two men, you would not be surprised. "That is another example of bossism; control the party boss and you control the people," you would say to yourself. Yet you might be wrong, for there is a State in this country of ours where this happened in 1910, not because of any baneful political organization but because by getting three votes the candidate received a majority of those cast. If the candidate was able to convince you that this was true you would still be pessimistic over such conditions. You might declare, "Well, what *are* we to do in a democracy if the people will not vote, but prefer to let their elections go practically by default? This is the worst case of political apathy of which I have ever heard." "But no," your informant might answer, "my three votes were not only a majority of those cast, but represented a majority of the electorate." Then you would probably refuse to listen to further argument. No man in his right mind would make such a statement. But perhaps what he told you was true —he may have come from Vermont.

Some day you may hear a street orator declare: "In this State of ours there is no republican government, majority rule has been unknown to us for a century. A small privileged class, less than four per cent. of our people, can block any law proposed for the good of the great majority and hold us under a constitution which was outgrown in the times of our grandfathers. And this is the case under our Government which pretends to guarantee to us a '*republican* form of government.' What a travesty of justice!"

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"Yes," you interrupt, "yes, it is true, wealth in unscrupulous hands can debauch the ballot. But what are you going to do about it? Why do you not prosecute those who buy the people's votes and drive the bribers from the State?" "That is not what I am talking about," is the reply; "the privilege I speak of comes from no corrupt use of money, it is a privilege granted in the words of our very Constitution." This is strange, but it is true as every citizen of Rhode Island knows or should know.

Mr. X tells you that his influence over State policy is hundreds of times that of his brother who lives in a near-by town. "Oh yes," you say, "X, you must be a first-class politician." But perhaps not, perhaps X never ran for office, or even attended a caucus. If he voted at all it may be his vote counted for as much as five hundred votes cast by his city neighbors—no, this is not a discussion of corruption, his vote honestly cast may have had this power —for you see he may live in Connecticut.

Finally, if a gray-haired man tells you that he has voted for a member of the State House of Representatives but once in his life though he has always lived in the cottage where he was born, you might say: "The failure of American democracy, if it fails, is due to just such men as you. Why do you not do your duty as a citizen? Why do you not vote?" The old man might reply, "I have voted at every election and for every officer on the ticket ever since I was of age." This man must come from New Hampshire.

How can all these absurdities be true? To be sure, they are not typical, but they are actual cases drawn from the public records and they are not unusual freaks of the elections which represent no true failure of our election machinery.* The trouble lies in a peculiar set of provisions

* Curious instances of this latter sort of abuse were the failures to elect representatives to the Lower House of the Vermont legislature in 1912. Washington, Albany, and Middlesex held elections, but chose no one for the office. Middlesex is a town of nine hundred inhabitants. Mr. Guy W. Bailey, Secretary of State of Vermont, explains this condition as follows: "It takes a majority to elect, and the town or city must continue voting until an election is had or the meeting adjourned. The statute provides that the first ballot must be counted at 3 P.M. on the day of the election and after the first ballot the presiding officer fixes the time when the next and each consecutive ballot shall be counted. In some instances the towns ballot for three or four days, or until the voters become tired and some one moves to adjourn."

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found in many of our States which guarantee representation in the legislature to certain districts, to towns, cities, or counties instead of dividing the representatives directly among the whole population of the State. There are thirty of our Constitutions, three-fifths of the total number, which include clauses of this sort. In some States the distribution results in no injustice because the districts are large and the representation assigned would be due even if the division were made directly on a population basis. But suppose an undeveloped State, such as Illinois was in 1850, had guaranteed to every town or county a fixed representation in the legislature and suppose that these towns, jealous of their rights, refused to give up their "sacred constitutional right of representation." If this had been done perhaps some little frontier settlement which has since been left on one side as a piece of driftwood untouched by the inflow of population would now outvote Chicago. That would be un-American, but cases of that nature are not unknown in America. Nine States are to-day bound by constitutions which protect just such a situation as this. The worst examples are in New England where with the exception of Massachusetts not a single commonwealth is established on a true popular basis of representation. Except in Massachusetts every New England State bases its representation in some degree on localities instead of voting strength. The districts to which representatives have been allotted have changed in population, but the constitutions have not changed. The governments have lost their democratic character and have become in some cases extreme examples of governments by the few—little twentieth-century oligarchies. The result is not explained by any growth of bossism. This oligarchy is one established by the constitutions, not by parties. How does it all come about?

In Connecticut a constitutional amendment of 1901 has modernized the Senate, but the Lower House is still beyond popular control. Each *town* has the right to representation. Up to 1874 all towns had equal rights, but in that year the small towns consented to give those which had over 5,000 people two representatives. Such a reform is a negligible concession to the demands of the time. It is still true that towns which have steadily declined in population for over a century have half the representation granted to the largest city in the State. Warren, which

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has had fewer people at every census since 1800 and now has but 412, has one representative, while New Haven, with 133,605 people in 1910, has but two. The smallest four towns, Marlborough, Andover, Warren, and Salem, have four representatives, their combined population being 1,528, the four cities of greatest population have eight representatives and 407,715 population. In other words, one of these small towns sends to the legislature one representative for every 382 people. One of the large cities sends one for every 50,964. The vote cast for member of the Lower House by New Haven in 1910 was 38,475; that cast by the town of Prospect was 67. In other words, a voter in the latter town had as much influence as 574 of his fellow-citizens who lived in the metropolis of the State.*

Rhode Island also is not "a government by the people" but a government by rural towns. Here, it is the Senate, not, as in Connecticut, the Lower House, which represents conditions long outgrown. Each town or city—there are thirty-eight in the State—is entitled to a Senator. The municipalities range in size from West Greenwich with 481 inhabitants to Providence with 224,326 inhabitants. Each has the same representation in the Senate. Over two-fifths of the entire population of the State elect but one of the thirty-eight Senators. There are twenty towns with a combined population of 41,068. Their representatives control the Senate. The total population of the State is 542,610. Consequently, a majority vote drawn from seven and one-half per cent. of the population controls the policy of the Upper House. Through this power the same proportion of the people can block any proposition to amend the Constitution, for the only method by which this can be done involves an affirmative vote by "a majority of all the members elected to each house."† Evidently the grievance urged during the Dorr Rebellion of 1840–2, that the control of the State under the conditions then surrounding the exercise of the suffrage, lay in the hands of less than a majority of the male inhabitants is an injustice which seventy years have only increased.‡

* See Register and Manual, Conn., 1912, p. 438–500.

† Constitution of Rhode Island, 1842, Art. XIII.

‡ See Luther *v.* Borden, 7 Howard 1. The restrictions then complained of referred, of course, to limitations on the right of the individual to vote, not the town basis of representation.

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The apportionment in force in Maine represents a curious attempt at compromise between representation on the basis of population and on localities. In both Senate and House the division is made in the first place on the basis of counties. The Senate which may consist of from twenty to thirty-one members is formed of delegations of from one to four members from the various counties. Except that the county lines interfere with equality of distribution the basis is popular. In the House of from 100 to 151 members the distribution of seats is to the counties and within the counties to the towns by a schedule which involves a progressive discrimination against the larger towns. For example, a town of 1,500 population is entitled to one; to be entitled to two it must have 3,750, an increase of 2,250; to be entitled to three it must add 3,000 more, and so on. No town no matter what its population, can have more than seven representatives. Towns with less than 1,500 people are classed into districts containing that number, but any town may refuse to vote with such a class, in which case it elects such proportion of the time as the number of its inhabitants bears to 1,500. Most of the 151 representatives are elected from groups of towns. Twenty come from towns which elect one representative, thirty from those which elect two or more. The result is unfortunate. When towns vote together, in practice they nominate by rotation. It is rare for a member from these districts to keep his seat more than one term. The value of the experience gained is lost. The responsibility of the representative is destroyed. He knows that his electorate cannot re-elect him for good service nor can it punish him for failure, because he cannot in practice even be a candidate.* In spite of these limitations, however, the representation in Maine is with the exception of Massachusetts, more popular than in any other New England State.

The two remaining States of New England, Vermont and New Hampshire, present the most striking contradictions in representation found anywhere in the United States. In the degree to which a group of small towns controls State policy they are outclassed by Rhode Island, but the weakness of the town basis of representation is nowhere so well displayed.

Vermont is the only American State which for a gen-

* See Senate Doc. 521, Sixtieth Congress, First Session, May 26, 1908.

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eration lived under a single legislative chamber. When at last in 1836 it adopted a bicameral legislature it gave one Senator to each county, additional members being assigned to those of greater population. In the House, however, a basis of representation never equitable and farther from that standard each year was kept. The Constitution of 1793 declared:

"In order that the freemen of this State might enjoy the benefit of election as equally as may be, each town within this State that consists or may consist of eighty taxable inhabitants within . . . seven years next after the establishing this constitution may . . . choose each two representatives; and each inhabited town in this State may in like manner choose each one representative to represent them in general assembly . . . and after that each inhabited town may, in like manner . . . choose each one representative forever thereafter."*

The basis of representation has never been changed. The State rose gradually in population till 1830 when it reached 280,000. Since then it has grown even less rapidly. The population in 1911 was 385,000. The average yearly increase for eighty years has been less than 2,300. Meanwhile there has gone on in this population a remarkable change in location. The agricultural wealth of the West has made the poor farm lands less attractive and industrial developments have drawn the population to the cities. The cities have grown larger, the country towns smaller, and the inequality of representation has steadily increased. The rapidity of the shift in population in recent years is shown by the following table:

POPULATION IN VERMONT

	1910	1900	1890
Urban population	47 per cent.	40 per cent.	35 per cent.
Rural population	52 per cent.	59 per cent.	64 per cent.

The comparison is made by classing the thirty-two largest towns as "Urban" communities, the rest as "Rural." These towns containing almost one-half of the population of the State can elect under the Constitution only sixty-four representatives, or about one-fourth of the 252 representatives. The six smallest towns have a combined population of 373 souls.† The six largest have 69,404. Burlington City, with 20,468 population, and Rutland City, with 13,546, have two representatives each. Somerset town, with 27 people, and Glastenbury, with 29, have one each. Somer-

* Constitution Vermont (1793), Chap. II., Sec. 7.
† Vermont Directory, 1910.

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set has 1–13,000 of the population; it has 1–252 of the representatives. A voter in the rural town has as much influence in the legislature as 379 of his fellow-citizens living in the largest city. The declining population of the six towns of less than 100 population and the vote cast at the election of 1910 illustrates the microscopic character of these "political units."

POPULATION AND VOTES OF THE SMALLER VERMONT TOWNS*

	1870	1880	1910	Votes cast 1910
Baltimore	83	71	54	12
Stratton	294	—	86	19
Somerset	80	67	27	5
Granby	174	194	95	14
Brunswick	221	193	82	23
Glastenbury	119	241	29	9

This is republican government reduced to an absurdity. When the command of two votes besides the candidate's own gives half as much power as that wielded by the citizens of the largest city in the State, it is time to ask whether this is truly a government by the people. The example is of course extreme, but it serves to illustrate a highly unpopular basis of representation. The great number of the small towns and their firm entrenchment in the Constitution keep the legislature on a basis which never was just and is becoming steadily more unjust.

Like its neighbor, Vermont, New Hampshire has been out of the path of the flood of immigration which has swept westward over the United States in the last two generations and the native population has not been prolific. It has now in fact only twice the population which it had during the War of 1812. The average increase in population for the last sixty years is about 2,050.

Here as in other New England States the original basis of representation was one intended to guarantee the small town an influence in legislation, but the system was one which recognized also that population was the proper basis of representation. The result is perhaps the most peculiar rule found in any American commonwealth. The Constitution of 1784† declared that

* Figures for 1870 from Vermont Legislative Directory 1872–3; for 1880 from Vermont Legislative Directory 1890; for 1910 from Vermont Legislative Directory 1910.

† New Hampshire Constitution, 1784—provisions under House of Representatives.

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"in order that . . . representation may be equal as circumstances will admit, every town, parish, or place entitled to town privileges, having one hundred and fifty ratable male polls of twenty-one years of age and upward, may elect one representative; if four hundred and fifty ratable polls, may elect two representatives and so proceeding in that proportion, making three hundred such ratable polls the mean increasing number of every additional representative. Such towns . . . as have less than one hundred and fifty ratable polls shall be classed by the general assembly for the purpose of choosing a representative and seasonably notified thereof. And in every class formed for the above-mentioned purpose the first annual meeting shall be held in the town parish or place wherein most of the ratable polls reside; and afterward in that which has the next highest number, and so on, annually by rotation through the several towns. . . . Whenever any town . . . intitled [sic] to town privileges . . . shall not have one hundred and fifty ratable polls and be so situated as to render the classing thereof with any other town . . . very inconvenient the general assembly may upon application of a majority of the voters in such town . . . issue a writ for their electing and sending a representative."

These provisions found their way unchanged into the Constitution of 1792.*

It was not, it appears, recognized that every town, no matter how small, had a right to elect a representative. But in politics as in every-day life what is repeatedly granted as a favor may become something demanded as a right. As the large towns and cities grew in importance the small towns feared their rights might be curtailed, but to give them all a right to representatives would either result in grievous over-representation for decaying and stationary communities or would force adoption of a representation unit which would make the already unwieldy House ridiculously large.

To avoid both evils a system of representation was adopted in 1877† which has produced the most remarkable anomalies found in the political system of any State. The old basis of "ratable polls" was changed to one resting on a unit of 600 population, and the small towns when they

* New Hampshire Constitution, 1792, Sec. IX.

† Amendment ratified March 13, 1877. The extent to which grouping had been carried under the former law is shown in the following list given one representative, Carroll, Hart's Location, Livermore and Jackson, Nash and Sawyer's Location, Crawford's Purchase, Crawford's Grant, Low and Burbank's Grant, Thompson and Meserve's Purchase, Martin's Location, Green's Grant, Bean's Purchase, Pinkham's Grant, Sargent's Purchase, Cutt's Grant, and Chandler's Purchase. New Hampshire Laws, 1877, Chap. 76, p. 58. Most of these units were of contiguous territory.

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could not be classed conveniently were to be allowed to elect a representative such proportion of the time as the number of their population bore to 600. The authority to grant representation to the small towns was vested in the general assembly. In 1889 another step in favor of the small towns was taken when the discretion of the legislature in giving the right to elect was taken away,* and the clause concerning "classing" of towns was dropped. This placed the State frankly on the "town representation" basis, but kept the curious expedient of non-continuous representation.

How ridiculous this system becomes appears only when the facts in specific instances are studied. Many towns in the State, especially in the northern districts, are in a process of gradual decay. Seventy-four have less than 600 inhabitants and therefore elect representatives only a part of the time. Twenty-two of these in the apportionment act of 1911 elect representatives to only four of the five legislatures in the ten-year period. Eighteen elect only three times, twenty-one two times, and in ten towns there will be but one election to the State House of Representatives in ten years.

The fight of these small towns against political death is long but hopeless. Some with declining population have struggled on filling the offices from their ever-decreasing numbers but proud to retain their ancient privileges. Some have given up the fight and have sunk back into the rank of unorganized communities, others only occasionally show signs of life.

Sharon struggles on as a town. It has elected representatives whenever its turn came. It chose James Green in 1892 with twenty-six votes against eighteen for his opponent, forty-four in all.† Ten years later it chose J. F. Fitzgerald by twenty votes to fourteen, thirty-four in all. Its turn came again in 1912. The votes cast then numbered only fifteen.

Wentworth's Location up on the Maine border had the right to elect in 1894, but the last apportionment law provides for its reappearance only in 1918—after a political sleep of twenty-four years.‡

Roxbury is an example of a town struggling against dis-

* N. H. Constitution. Amendment ratified 1889.
† N. H. Manual for the General Court No. 3, 1893, p. 338.
‡ N. H. Manual for the General Court No. 3, 1893.

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integration. As long ago as 1868 the legislature voted to annex it to Keene if a majority of the voters should consent, but the town still prefers to remain separate. It elected its representative, no one contesting with the single candidate, by 17 votes in 1896.* In 1906 it elected a representative unanimously by 8 votes.† It will have its turn again in 1914.

Waterville had opportunity to elect in 1894‡ and in 1904§ and in 1912.¶ In 1894 the election was unanimous; nine votes were cast. In 1904 the candidate again received every vote, but there were only seven. In the election of November, 1912, the town mustered only four votes. The government of this town in 1892 when its population was greater than now is interesting. It was:||

Selectmen	Supervisors	School Board	Town Clerk	Treasurer
J. Drake	S. Elliott	S. Elliott	J. Drake	S. Elliott
S. Drake	L. Dolloff	L. Dolloff		
A. Drake	G. Drake	J. Drake		

Evidently the power of a family to dominate politics is not confined to the early history of New York.

Windsor, whose population in 1900 was thirty-eight, held its last election for the Lower House in 1908. The successful candidate received five votes to his opponent's one. There were three officers of election and evidently three other voters.**

Livermore had its turn in 1890, but it failed to hold an election. The entry in the Legislative Manual is eloquent of the conditions of the town. It reads:††

"Livermore, Grafton Company, Incorporated (from sundry tracts of wild land, located in the northeasterly corner of Grafton County which had been deemed too mountainous for either settlement or speculation) July 11, 1876. There was no election held in this town in 1890 owing to change in ownership of the lumber-mills. George S. Payne, town clerk, will attend to town business."

When the government of a community falls into the hands of a few men we usually think of them as "bosses" and "politicians," but the fewness of citizens will at least partially excuse the following division of offices in Livermore of 1890.

* *Ibid.*, p. 338.
† N. H. Manual, 1907.
‡ N. H. Pub. Stat., 1891, p. 138.
§ N. H. Laws, p. 600.
¶ N. H. Laws, p. 86, Chap. 84.
|| N. H. Manual, 1893.
** N. H. Manual, 1909, p. 327.
†† Manual for the General Court, 1891, N. H.

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Selectmen	Supervisors	School Board	Town Clerk	Treasurer
E. Butler	E. Butler	E. Butler	G. Payne	H. Belmont
P. Martin	P. Martin	P. Martin		
M. Brooks	M. Brooks	G. Payne		

When the new apportionment act was passed in 1891 the legislature put Livermore on the list of towns entitled to elect in 1894—not because its population entitled it to be there apparently—but because the town had recently failed to send a representative through neglect. The town came back to life enough to elect a representative, but no number of votes is assigned as having been cast.*

In 1908 Livermore again had the right to a representative, but it held no election, and there has been no revival this time. Perhaps the lumber-mill is changing hands again or has shut down. In any case Livermore has disappeared from legislative halls until 1920.† Curious is the situation of the man, if such there be, who was born in Livermore and was twenty years of age in 1896. If he continues to live in the town he may be entitled to vote for a representative in 1920 if the town is still alive. At that time he will be forty-four years of age. Twelve years later—at sixty—he may vote again. He will hardly live to vote three times for his representative in a "biennial legislature." In other towns too the election comes so seldom and the political machinery is so weak that even when the opportunity to elect comes around no election occurs. Not even the $200 and mileage with which New Hampshire rewards her legislators is enough to arouse the farmer to hustle out his neighbors to elect him. Millsfield, a dying town, was to elect a representative in 1896, but no one started the machinery going and the seat at the capitol remained vacant during the session. It has not reappeared in later apportionments.‡ This is only an example of several which represent the lower stratum of the town government of the State. One town, Cambridge, had lost its organization as long ago as 1870.§

* N. H. Manual, 1895.

† N. H. Laws, 1911, Chap. 84, p. 86.

See Apportionment laws. Pub. Stat. of N .H., 1891, p. 138, and N. H. Laws, 1911, p. 86, Chap. 84. N. H. Manual, 1897.

‡ See Laws of New Hampshire, 1911, Chap. 84, p. 86–88. It is credited with twelve inhabitants in this year.

§ N. H. Handbook, 1877. It had five inhabitants in 1911. For curious election returns in small towns see N. H. Manual, 1897, for Ellsworth,

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We have long been amused at the stories of the cathedral towns which in their decline proved so baneful an influence in Old England. Grattan, Sandwich, and Old Sarum are names synonymous with unjust basis of representation and political corruption. Americans in general are sincere advocates of government by the people and inequality of representation is almost universally decried. "Good party men" see no harm in a gerrymander so long as it works in favor of the party to which they belong, but even they see no virtue in giving a town representation because it is a town regardless of the party which controls it.

Representation through elections in districts of "contiguous and compact territory containing as nearly as practicable an equal number of inhabitants" is the rule laid down by Congress for the choice of members of our national

Lincoln, Millsfield, Roxbury. N. H. Manual, 1895, for Errol, Livermore, Randolph, Waterville. The stationary or declining population of some of the New Hampshire towns is indicated by the following statistics gleaned from the N. H. Year Book 1879, N. H. Manuals for 1905, 1907, 1909, the Handbook, 1887, and Laws of New Hampshire, 1911, Chap. 84, p. 86–88.

POPULATION OF SMALLER NEW HAMPSHIRE TOWNS

Town	1870	1890	1900	1910
Hart's Location	26	187	38	85
Roxbury	—	129	100	66
Randolph	—	137	137	137
Wentworth's Location	—	25	61	51
Ellsworth	—	150	107	46
Livermore	—	155	191	64
Orange	—	245	213	176
Waterville	33	39	50	16
Sharon	182	137	122	71
Windsor	81	67	38	24
Millsfield	—	—	—	12
Cambridge	—	—	—	5

The votes cast for Governor in 1877 and 1910 in the weakest towns were:

Town	For Governor* 1877	For Governor† 1910
Livermore	13	3
Sharon	63	11
Roxbury	37	9
Waterville	8	4
Windsor	19	8
Wentworth's Location	10	6

* Figures from Handbook (N. H.), 1877.

† Figures from N. H. Manual for the General Court, 1911.

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House of Representatives. Many States have adopted a similar standard for the distribution of seats in their State legislatures. But lest we become too proud of our democracy let us remember that after all our ideals do not square with our practice. Let us keep in mind that, not to speak of our "gerrymandered districts," in three States out of every five representation is granted to some degree on the basis of locality instead of population. Let us not forget that nine States do glaring injustice to the majority by such a system of representation and that in the rotten boroughs of New England in 1913 we have examples of bases of representation quite as bad as those of which the mother-country freed herself almost three generations ago.

CHESTER LLOYD JONES.

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PANAMA HYMN

BY PERCY MACKAYE

Lord of the sundering land and deep,
For whom of old, to suage thy wrath,
The floods stood upright as a heap
To shape thy host a dry-shod path,

Lo, now, from tide to sundered tide
Thy hand, outstretched in glad release,
Hath torn the eternal hills aside
To blaze a liquid path for Peace.

Thy hand, englaived in flaming steel,
Hath clutched the demons of the soil
And made their forge-fires roar and reel
To serve thy seraphim in toil;

While round their pits the nations, bowed,
Have watched thine awful enginery
Compel, through thunderbolt and cloud,
The demigods to slave for thee.

For thee hath glaring Cyclops sweat,
And Atlas groaned, and Hercules
For thee his iron sinews set,
And thou wast lord of Rameses;

Till now they pause, to watch thy hand
Lead forth the first leviathan
Through mazes of the jungled land,
Submissive to the will of man:

Submissive through the will of us
To thine, the universal will,
That leads, divine and devious,
To world-communions vaster still.

The titans rest; intense, aware,
The host of nations dumbly waits;
The mountains lift their brows and stare;
The tides are knocking at the gates.

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Almighty of the human mind,
  Unlock the portals of our sleep
That lead to visions of our kind,
  And marry sundered deep to deep!

PERCY MACKAYE.

SLEEP

BY GRACE DENIO LITCHFIELD

Poor pain-worn mortal, dost thou weep?
Awhile thy troubled patience keep.
Night cometh surely. Thou shalt sleep.

Take up thy burden. Is the day
Too long for thy lost courage? Nay:
Night will o'ertake thee by the way.

Thou shalt not hear; thou shalt not see;
But better than death will come to thee,
For, living, thou shalt cease to be.

Better than death; for none hath told
Death's consequence. And death may hold
Undreamed-of terrors manifold.

Death may be gain, or may be woe.
Sleep hath no may-be. Sleep we know.
It is, it was, and shall be so.

No law, no conscience doth it keep
Within its unimpassioned deep.
Nor time, nor space, nor sin hath Sleep.

To sleep is to unlive; to be
As thou hadst never been; to free
Thyself from all that maketh thee;

Nothing but nothingness to know;
To be unborn without a throe—
Uncreate at a pangless blow.

Then ye who fear, and ye who weep,
A few short hours your patience keep.
God must be good. For God made Sleep.

GRACE DENIO LITCHFIELD.

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TO AND IN GRANADA

BY WILLIAM DEAN HOWELLS

THE train which leaves Seville at ten of a sunny morning is supposed to arrive in Granada at seven of a moonlight evening. This is a mistake; the moonlight is on time, but the train arrives at a quarter of nine. Still, if the day has been sunny the whole way and the moonlight is there at the end, no harm has really been done; and measurably the promise of the train has been kept.

I

There was not a moment of the long journey over the levels of Andalusia which was not charming; when it began to be over the uplands of the last Moorish kingdom, it was richly impressive. The only thing I had against the landscape was the prevalence of olive orchards. I hailed as a relief the far-spreading stubble-fields where they opened, and I did not always resent the roadside planting of some sort of tall hedges which now and then hid the olives. But even olive orchards may vary their monotony by the spectacle of peasants on ladders gathering their fruit into wide-mouthed sacks, and occasionally their ranks of symmetrical green may be broken by the yellow and red of poplars and pomegranates around the pleasant farmsteads. The nearer we drew to Granada the pleasanter these grew, till in the famous Vega they thickly dotted the landscape with their brown roofs and white walls.

We had not this effect till we had climbed the first barrier of hills and began to descend on the thither side; but we had incident enough to keep us engaged without the picturesqueness. The beggars alone, who did not fail us at any station, were enough; for what could the most exacting tourist ask more than to be eating his luncheon under

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the eyes of the children who besieged his car windows and protested their famine in accents which would have melted a heart of stone or of anything less obdurate than travel? We had always our brace of Civil Guards, who preserved us from bandits, but they left the beggars unmolested by getting out of the train next the station and pacing the platform, while the rabble of hunger thronged us on the other side. There was especially one boy who, after being compassionated in money for his misfortune, continued to fling his wooden leg into the air and wave it at our window by some masterly gymnastics; and there was another boy who kept lamenting that he had no mother, till, having duly feed and fed him, I suggested, "But you have a father?" Then, as if he had never seen the case in that light before, he was silent, and presently went away without further insistence on his bereavement.

II

The laconic fidelity of my note-book enables me to recall here that the last we saw of Seville was the Cathedral and the Giralda, which the guide-books had promised us we should see first; that we passed some fields of alfalfa which the Moors had brought from Africa and the Spanish have carried to America; that in places men were plowing and that the plowed land was red; that the towns on the uplands in the distance were white and not gray or mud-colored, as in Castile; that the morning sky was blue, with thin, pale clouds; that the first station out was quaintly called Two Brothers, and that the loungers about it were plain, but kind-looking men-folk with good faces, some actually clean-shaven, and a woman with a white rose in her hair; that Two Brothers is a suburb of Seville, frequented in the winter, and has orange orchards about it; that farther on at one place the green of the fields, with a fine sense of color, spread up to the walls of a white farm; that there were hawks sailing in the blue air; that there were grotesque hedges of cactus and piles of crooked cactus logs; that there were many eucalyptus-trees; that there were plantations of young olives, as if never to let that all-pervading culture perish; that there were irregular mountain ranges on the right, but never the same kind of scenery on both sides of the track; that there was once a white cottage on a yellow hill and a pink villa with two towers; that there was a soli-

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tary fig-tree near the road, and that there were vast lonely wheat-fields when there were not olive orchards.

Taking breath after one o'clock, much restored by our luncheon, my note-book remembers a gray-roofed, yellow-walled town, very suitable for a water-color, and just beyond it the first vineyard we had come to. Then there were pomegranate-trees, golden-leaved, and tall poplars pollarded plume fashion as in southern France; and in a field a herd of brown pigs feeding, which commended itself to observance, doubtless, as color in some possible word-painting. There now abounded pomegranates, figs, young corn, and more and more olives; and as if the old olives and young olives were not enough, the earth began to be pitted with holes dug for the olives which had not yet been planted.

At Bobadilla, the junction where an English railway company begins to get in its work and to animate the Spanish environment to unwonted enterprise, there was a varied luncheon far past our capacity. But when a Cockney voice asked over my shoulder, "Tea, sir?" I gladly closed with the proposition. "But you've put hot milk into it," I lamented. "I know it, sir. We 'ave no cold milk at Bobadilla," and instantly a baleful suspicion implanted itself which has since grown into an upas-tree of poisonous conviction: goat's milk does not keep well, and it was not only hot milk, but hot *goat's* milk which they were serving us at Bobadilla. However, there were admirable ham sandwiches, not of goat's flesh, at the other end of the room, and with these one could console oneself. There was also a commendable pancake whose honored name I never knew, but whose acquaintance I should be sorry not to have made; and all about Bobadilla there was an agreeable bustle, which we enjoyed the more when we made sure that we had changed into the right train for Granada and found in our compartment the charming young Swedish couple who had come with us from Seville.

III

Thoroughly refreshed by the tea with hot goat's milk in it, by the genuine ham sandwiches and the pancakes, my note-book takes up the tale once more. It dwells upon the rich look of the land and the comfort of the farms contrasting with the wild desolation of the mountain ranges which now began to serrate the horizon; and I have no doubt that if I had then read that most charming of all

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Washington Irving's Spanish studies, the story, namely, of his journey over quite the same way we had come seventy-five years later, my note-book would now abound in comment on the changed aspect of the whole landscape. Even as it is, I find it exclamatory over the wonder of the mountain coloring which it professes to have found green, brown, red, gray, and blue, but whether all at once or not it does not say. It is more definite as to the plain we were traversing, with its increasing number of white cottages, cheerfully testifying to the distribution of the land in small holdings, so different from the vast estates abandoned to homeless expanses of wheat-fields and olive orchards which we had been passing through. It did not appear on later inquiry that these small holdings were of peasant ownership, as I could have wished; they were tenant farms, but their neatness testified to the prosperity of the tenants, and their frequency cheered our way as the evening waned and the lamps began to twinkle from their windows. At a certain station, I am reminded by my careful mentor, the craggy mountain-tops were softened by the sunset pink, and that then the warm afternoon air began to grow cooler, and the dying day to empurple the uplands everywhere without abating the charm of the blithe cottages. It seems to have been mostly a very homelike scene, and where there was a certain stretch of woodland its loneliness was relieved by the antic feat of a goat lifting itself on its hind-legs to browse the olive leaves on their native bough. The thin air was ever more cooler, but never damp, and at times it relented and blew lullingly in at our window. We made such long stops that the lights began to fade out of the farm windows, but kept bright in the villages, when at a station which we were so long in coming to that we thought it must be next to Granada, a Spanish gentleman got in with us; and though the prohibitory notice of *No Fumadores* stared him in the face, it did not stare him out of countenance; for he continued to smoke like a locomotive the whole way to our journey's end.

From time to time I meditated the words of a severe rebuke, but in the end I made him none, and I am now convinced that this was wise, for he probably would not have minded it, and as it was, when I addressed him some commonplace as to the time of our arrival he answered me in the same spirit, and then presently grew very courteously

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communicative. He told me for one thing, after we had passed the mountain gates of the famous Vega and were making our way under the moonlight over the storied expanse, drenched with the blood of battles long ago, that the tall chimneys we began to see blackening the air with their volumed fumes were the chimneys of fourteen beet-root sugar factories belonging to the Duke of Wellington. Then I divined, as afterward I learned, that the lands devoted to this industry were part of the rich gift which Spain bestowed upon the Great Duke in gratitude for his services against the Napoleonic invasion. His present heir has imagined a benevolent use of his heritage by inviting the peasantry of the Vega to the culture of the sugar beet; but whether the enterprise was prospering I could not say; and I do not suppose any reader of mine will care so much for it as I did in the pour of the moonlight over the roofs and towers that were now becoming Granada, and quickening my dim old emotions to a youthful glow. At the station, which, in spite of Boabdil el Chico and Ferdinand and Isabel, was quite like every other railway station of southern Europe, we parted friends with our Spanish fellow-traveler, whom we left smoking and who is probably smoking still. Then we mounted with our Swedish friends into the omnibus of the hotel we had chosen and which began, after discreet delays, to climb the hill town toward the Alhambra through a commonplace-looking town gay with the lights of cafés and shops, and to lose itself in the more congenial darkness of narrower streets barred with moonlight. It was drawn by four mules, covered with bells and constantly coaxed and cursed by at least two drivers on the box, while a vigorous boy ran alongside and lashed their legs without ceasing till we reached the shelf where our hotel perched.

IV

I had taken the precaution to write for rooms, and we got the best in the house, or if not that the best we could wish at a price which I could have wished much less, till we stepped out upon our balcony, and looked down and over the most beautiful, the most magnificent scene that eyes, or at least my eyes, ever dwelt on. Beside us and before us the silver cup of the Sierra Nevada held the city in its tilted hollow, from which it poured out over the immeasurable Vega washed with moonshine and brightened and dark-

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ened in its spread by a thousand radiances and obscurities of windows and walls and roofs and trees and lurking gardens. Because it was unspeakable we could not speak, but I may say now that this was our supreme moment of Granada. There were other fine moments, but none unmixed with the reservations which truth obliges honest travel to own. Now, when from some secret spot there rose the wild cry of a sentinel, and prolonged itself to another who caught it dying up and breathed new life into it and sent it echoing on till it had made the round of the whole magic city, the heart shut with a pang of pure ecstasy. One could bear no more; we stepped within, and closed the window behind us. That is, we tried to close it, but it would not latch, and we were obliged to ring for a *camerero* to come and see what ailed it.

The infirmity of the door-latch was emblematic of a temperamental infirmity in the whole hotel. The promises were those of Madrid, but the performances were those of Segovia. There was a glitter, almost a glare, of Ritz-like splendor, and the rates were Ritz-like, but there the resemblance ceased. The *concierge* followed us to our rooms on our arrival and told us in excellent English (which excelled less and less throughout our stay) that he was the hall-porter and that we could confidently refer our wants to him; but their reference seemed always to close the incident. There was a secretary who assured us that our rooms were not dear, and who could not out of regard to our honor and comfort consider cheaper ones; and then ceased to be until he receipted our bill when we went away. There was a splendid dining-room with waiters of such beauty and dignity, and so purple from clean shaving, that we scarcely dared face them, and there were luncheons and dinners of rich and delicate superabundance in the menu, but of an exquisite insipidity on the palate, and of a swiftly vanishing Barmecide insubstantiality as if they were banquets from the *Arabian Nights* imagined under the rule of the Moors. Everywhere shone silver-bright radiators, such as we had not seen since we left their like freezing in Burgos; but though the weather presently changed from an Andalusian softness to a Castilian severity after a snowfall in the Sierra, the radiators remained insensible to the difference and the air nipped the nose and fingers wherever one went in the hotel. The hall-porter, who knew everything, said the boilers were out of order, and a traveler who had been there the

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winter before confirmed him with the testimony that they were out of order even in January. There may not have been any fire under them then, as there was none now; but if they needed repairing now it was clearly because they needed repairing then. In the corner of one of our rooms the plastering had scaled off, and we knew that if we came back a year later the same spot would offer us a familiar welcome.

But why do I gird at that hotel in Granada as if I knew of no faults in American hotels? I know of many and like faults, and I do not know of a single hotel of ours with such a glorious outlook and downlook as that hotel in Granada. The details which the sunlight of the morrow revealed to us when we had mastered the mystery of our window-catch and stood again on our balcony took nothing from the loveliness of the moonlight picture, but rather added to it, and, besides a more incredible scene of mountain and plain and city, it gave us one particular tree in a garden almost under us which my heart clings to still with a rapture changing to a fond regret. At first the tree, of what name or nature I cannot tell, stood full and perfect, a mass of foliage all yellow as if made up of "patines of bright gold." Then day by day, almost hour by hour, it darkened and the tree shrank as if huddling its leaves closer about it in the cold that fell from the ever-snowier Sierra. On the last morning we left its boughs shaking in the rain

"Bare, ruined choirs where late the sweet birds sang."

V

But we anticipate, as I should say if I were still a romantic novelist. Many other trees in and about Granada were as yellow as that one, and the air hung dim with a thin haze as of Indian summer when we left our hotel in eager haste to see the Alhambra such as travelers use when they do not want some wonder of the world to escape them. Of course there was really no need of haste, and we had to wait till our guide could borrow a match to light the first of the cigarettes which he never ceased to smoke. He was commended to us by the hall-porter, who said he could speak French, and so he could, to the extreme of constantly saying, with a wave of his cigarette, "*N'est ce pas?*" For the rest he helped himself out willingly with my small Spanish; at the end he would have delivered us over to a dealer in antiquities hard by the gate of the palace if I had not pre-

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vented him, as it were, by main force; he did not repine, but we were not sorry that he should be engaged by others for the next day.

Our way to the gate, which was the famous Gate of Justice and was lovely enough to be the Gate of Mercy, lay through the beautiful woods, mostly elms, planted there by the English early in the last century. The birds sang in their tops, and the waters warbled at their feet, and it was somewhat thrillingly cold in their dense shade, so that we were glad to get out of it, and into the sunshine where the old Moorish palace lay basking and dreaming. At once let me confide to the impatient reader that the whole Alhambra, by which he must understand a citadel, and almost a city, since it could, if it never did, hold twenty thousand people within its walls, is only historically and not artistically more Moorish than the Alcazar at Seville. Far nobler and more beautiful than its Arabic decorativeness in tinted stucco is the palace begun by Charles V., after a design in the spirit of the supreme hour of the Italian Renaissance. It is not ruinous in its long arrest, and one hears with hopeful sympathy that the Spanish king means some day to complete it. To be sure, the world is, perhaps, already full enough of royal palaces, but since they return sooner or later to the people whose pockets they come out of, one must be willing to have this palace completed as the architect imagined it.

We were followed into the Moorish palace by the music of three blind minstrels who began to tune their guitars as soon as they felt us: see us they could not. Then presently we were in the famous Court of the Lions, where a group of those beasts, at once archaic and puerile in conception, sustained the basin of a fountain in the midst of a graveled court arabesqued and honeycombed round with the wonted ornamentation of the Moors. The place was disappointing to the boy in me who had once passed so much of his leisure there, and had made it all marble and gold. The floor is not only gravel, and the lions are not only more like sheep, but the environing architecture and decoration are of a faded prettiness which cannot bear comparison with the fresh rougeing, equally Moorish, of the Alcazar at Seville. Was this indeed the place where the Abencerrages were brought in from supper one by one and beheaded into the fountain at the bidding of their royal host? Was it here that the haughty Don Juan de Vera, coming to demand for

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the Catholic Kings the arrears of tribute due them from the Moor, " paused to regard its celebrated fountain " and " fell into discourse with the Moorish courtiers on certain mysteries of the Christian faith "? So Washington Irving says, and so I once believed, with glowing heart and throbbing brow as I read how " this most Christian knight and discreet ambassador restrained himself within the limits of lofty gravity, leaning on the pommel of his sword and looking down with ineffable scorn upon the weak casuists around him. The quick and subtle Arabian witlings redoubled their light attacks on the stately Spaniard, but when one of them, of the race of the Abencerrages dared to question, with a sneer, the immaculate conception of the blessed Virgin, the Catholic knight could no longer restrain his ire. Elevating his voice of a sudden, he told the infidel he lied, and raising his arm at the same time he smote him on the head with his sheathed sword. In an instant the Court of Lions glistened with the flash of arms," insomuch that the American lady whom we saw writing a letter beside a friend sketching there must have been startled from her opening words, " I am sitting here with my portfolio on my knees in the beautiful Court of the Lions," and if Muley Aben Hassan had not " overheard the tumult and forbade all appeal to force, pronouncing the person of the ambassador sacred," I am sure she never could have gone on.

VII

I did not doubt the fact when I read of it under the level boughs of the beechen-tree with J. W., sixty years ago, by the green woodland light of the primeval forest which hemmed our village in, and since I am well away from the Alhambra again I do not doubt it now. I doubt nothing that Irving says of the Alhambra; he is the gentle genius of the place, and I could almost wish that I had paid the ten pesetas extra which the custodian demanded for showing his apartment in the palace. On the spot the demand of two dollars seemed a gross extortion; yet it was not too much for a devotion so rich as mine to have paid, and I advise other travelers to buy themselves off from a vain regret by giving it. If ever a memory merited the right to levy tribute on all comers to the place it haunts, Washington Irving's is that memory. His *Conquest of Granada* is still the history which one would wish to read; his *Tales of the*

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Alhambra embody fable and fact in just the right measure for the heart's desire in the presence of the monuments they verify or falsify. They belong to that strange age of romance which is now so almost pathetic and to which one cannot refuse his sympathy without sensible loss. Except for the eager make-believe of that time we should still have to hoard up much rubbish which we can now leave aside, or accept without bothering to assay for the few grains of gold in it. Washington Irving had just the playful kindness which sufficed best to deal with the accumulations of his age; if he does not forbid you to believe, he does not oblige you to disbelieve, and he has always a tolerant civility in his humor which comports best with the duty of taking leniently a history impossible to take altogether seriously. Till the Spaniards had put an end to the Moorish misrule, with its ruthless despotism and bloody civil brawls, the Moors deserved to be conquered; it was not till their power was broken forever that they became truly heroic in their vain struggles and their unavailing sorrows. Then their pathetic resignation to persecution and exile lent dignity even to their ridiculous religion.

The Alhambra is not so impressive by its glory or grandeur as by the unparalleled beauty of its place. If it is not very noble as an effect of art, the inspiration of its founders is affirmed by their choice of an outlook which commands one of the most magnificent panoramas in the whole world. It would be useless to rehearse the proofs, but I bid the reader think of far-off silver-crested summits and of a peopled plain stretching away from them out of eyeshot, dense first with roofs and domes and towers, and then freeing itself in fields and vineyards and orchards and forests to the vanishing-point of the perspective; think of steep and sudden plunges into chasms at the foot of the palace walls, and one crooked stream stealing snake-like in their depths; think of whatever splendid impossible dramas of topography that he will, of a tremendous map outstretched in colored relief, and he will perhaps have some notion of the prospect from the giddy windows of the Alhambra; and perhaps not. Of one thing beyond the gulf of the Darro we made memorably sure, and that was the famous gipsy quarter which the traveler visits at the risk of his life in order to have his fortune told. At the same moment we made sure that we should not go any nearer it, for though we knew

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that it was insurpassably dirty as well as dangerous, we remembered so distinctly the loathsomeness of the gipsy quarter at Seville that we felt no desire to put it to the comparison.

VIII

We preferred rather the bird's-eye study of the beautiful Generalife which our outlook enabled us to make, and which we supplemented by a visit the next day. We preferred, after the Barmecide lunch at our hotel, taking the tram-car that noisily and more noisily clambers up and down, and descending into the town by it. The ascent is so steep that at a certain point the electric current no longer suffices, and the car bites into the line of cogs with its sort of powerful under-jaw and so arrives. Yet it is a kindly little vehicle, with a conductor so affectionately careful in transporting the stranger that I felt after a single day we should soon become brothers, or at least half-brothers. Whenever we left or took his car, after the beginning or ending of the cogway, he was alert to see that we made the right change to or from it, and that we no more overpaid than underpaid him. Such homely natures console the traveler for a thousand inhospitalities of travel, and bind races and religions together in spite of patriotism and piety.

We were going first to the Cartuja, and in the city, which we found curiously much more modern, after the Latin notion, than Seville, with freshly built apartment-houses and business blocks, we took a cab, not so modern as to be a taxicab, and drove through the quarter said to have been assigned to the Moors after the fall of Granada. The dust lay thick in the roadway where filthy children played, but in the sunny doorways good mothers of families crouched taking away the popular reproach of vermin by searching one another's heads. Men bestriding their donkeys rode fearlessly through the dust, and one cleanly-looking old peasant woman, who sat hers plumply cushioned and framed in with a chair-back and arms, showed a patience with the young trees planted for future shade along the desperate avenue which I could wish we had emulated. When we reached the entrance of the old Carthusian Convent, long since suppressed and its brothers exiled, a strong force of beggarmen waited for us, but a modest beggarwoman, old and sad, had withdrawn to the church door, where she shared in our impartial alms. We were admitted to the cloister,

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rather oddly, by a young girl, who went for one of the remaining monks to show us the church. He came with a newspaper (I hope of clerical politics) in his hand, and distracted himself from it only long enough to draw a curtain, or turn on a light, and point out a picture or statue from time to time. But he was visibly anxious to get back to it, and sped us more eagerly than he welcomed us in a church which upon the whole is richer in its peculiar treasures of painting, sculpture, especially in wood, costly marble, and precious stones than any other I remember. According to my custom, I leave it to the guide-books to name these, and to the abounding critics of Spanish art to celebrate the pictures and statues; it is enough for me that I have now forgotten them all except those scenes of the martyrdom inflicted by certain Protestants on members of the Carthusian brotherhood at the time when all sorts of Christians felt bound to correct the opinions of all other sorts by the cruelest tortures they could invent. When the monk had put us to shame by the sight of these paintings (bad as their subjects), he put us out, letting his eyes fall back upon his newspaper before the door had well closed upon us.

The beggarmen had waited in their places to give us another chance of meriting heaven; and at the church door still crouched the old beggarwoman. I saw now that the imploring eyes she lifted were sightless, and I could not forbear another alms, and as I put my copper big-dog in her leathern palm I said, "*Adios, madre.*" Then happened something that I had long desired. I had heard and read that in Spain people always said at parting, "Go with God," but up to that moment nobody had said it to me, though I had lingeringly given many the opportunity. Now, at my words and at the touch of my coin this old beggarwoman smiled beneficently and said, "Go with God," or, as she put it in her Spanish, "*Vaya usted con Dios.*" Immediately I ought to have pressed another coin in her palm, with a "*Gracias, madre; muchas gracias,*" out of regard to the literary climax; but whether I really did so I cannot now remember; I can only hope I did.

I think it was while I was still in this high satisfaction that we went a drive in the promenade, which in all Spanish cities is the Alameda, except Seville, where it so deservedly is the Delicias. It was in every way a contrast to the road we had come from the Cartuja: an avenue

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of gardened paths and embowered driveways, where we hoped to join the rank and fashion of Granada in their afternoon's outing. But there was only one carriage besides our own with people in it, who looked no greater world than ourselves, and a little girl riding with her groom. On one hand were pretty villas, new-looking and neat, which I heard could sometimes be taken for the summer at rents so low that I am glad I have forgotten the exact figures lest the reader should doubt my word. Nothing but the fact that the winter was then hanging over us from the Sierras prevented my taking one of them for the summer that had passed, the Granadan summer being notoriously the most delightful in the world. On the other hand stretched the wonderful Vega, which covers so many acres in history and romance, and there, so near that we look down into them at times were "the silvery windings of the Xenil," which glides through so many descriptive passages of Irving's page; only now, on account of the recent rain, its windings were rather coppery.

IX

At the hotel on the terrace under our balcony we found on our return a party of Spanish ladies and gentlemen drinking tea, or whatever drink stood for it in their custom: no doubt chocolate; but it was at least the afternoon-tea hour. The women's clothes were just from Paris, and the men's from London, but their customs, I suppose, were national; the women sat on one side of the table and talked across it to the men, while they ate and drank, and then each sex grouped itself apart and talked to its kind, the women in those hardened vowels of a dialect from which the Andalusians for conversational purposes have eliminated all consonants. The sun was setting red and rayless, with a play of many lights and tints, over the landscape up to the snow-line on the Sierra. The town lay a stretch of gray roofs and white walls, intermixed with yellow poplars and black cypresses, and misted over with smoke from the chimneys of the sugar factories. The mountains stood flat against the sky, purple with wide stretches of brown, and dark, slanting furrows. The light became lemon-yellow before nightfall, and then a dull crimson under pale violet.

The twitter of the Spanish women was overborne at times by the voices of an American party whose presence I was rather proud of as another American. They were all young

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men, and they were making an educational tour of the world in the charge of a professor who saw to it that they learned as much of its languages and history and civilization as possible on the way. They ranged in their years from about fifteen to twenty and even more, and they were preparing for college, or doing what they could to repair the loss of university training before they took up the work of life. It seemed to me a charming notion, and charming the seriousness with which they were fulfilling it. They were not so serious in everything as to miss any incidental pleasure; they had a large table to themselves in our refulgent banquet-hall, where they seemed always to be having a good time, and where once they celebrated the birthday of one of them with a gaiety which would have penetrated, if anything could, the chill of the other diners. In the evening we heard them in the billiard-room below lifting their voices in the lays of our college muse, and waking the strains of our national ragtime. They were never intrusively cheerful; one might remain, in spite of them, as dispirited as the place would have one; but as far as the *genius loci* would let me, I liked them; and so far as I made their acquaintance I thought that they were very intelligently carrying out the enterprise imagined for them.

X

I wish now that I had known them well enough to ask them what they candidly thought of the city of which I felt the strange witchery under the dying day on the afternoon which I have left celebrating for the moment. It seems to me at this distance of time and space that I did not duly reflect that in places it was a city which smelled very badly and was almost as dirty as New York in others, and very ill paved. The worst places are in the older quarters, where the streets are very crooked and very narrow, so narrow that the tram-car can barely scrape through them. They are old enough to be streets belonging to the Moorish city, like many streets in Cordova and Seville, but no fond inquiry from our guides could identify this lane or that alley as of Moorish origin. There is indeed a group of picturesque shops clearly faked to look Moorish, which the lover of that period may pin his faith to, and for a moment I did so, but upon second thought I unpinned it.

We visited this plated fragment of the old Moorish capital

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when we descended from our hotel with a new guide to see the great, the stupendous cathedral, where the Catholic Kings lie triumphantly entombed in the heart of their conquest. It is altogether unlike the other Spanish cathedrals of my knowledge; for though the cathedral of Valladolid is of Renaissance inspiration in its austere simplicity, it is somehow even less like that of Granada than the Gothic fanes of Burgos or Toledo or Seville. All the detail at Granada is classicistic, but the whole is often of Gothic effect, especially in the mass of those clustered Corinthian columns that lift its domes aloof on their prodigous bulk, huge as that of the grouped pillars in the York Minster. The white of marble walls, the gold of altars, the colors of painted wooden sculpture form the tones of the place, subdued to one bizarre richness which I may as well leave first as last to the reader's fancy; though, let his fancy riot as it will, it never can picture that gorgeousness. Mass was saying at a side altar as we entered, and the music of stringed instruments and the shrill voices of choir-boys pierced the spaces here and there, but no more filled them than the immemorable sculptural and pictorial facts: no more than a certain very lively bishop kneeling on his tomb and looking like George Washington; or than a St. Jerome in the Desert, outwrinkling age, with his lion curled cozily up in his mantle; or than the colossal busts of Adam and Eve and the praying figures of Ferdinand and Isabel, richly gilded in the exquisite temple forming the high altar; or than the St. James on horseback, with his horse's hoof planted on the throat of a Moor; or than the Blessed Virgins in jeweled crowns and stomachers and brocaded skirts; or than that unsparingly realistic decapitation of John the Baptist bloodily falling forward with the severed gullet thrusting at the spectator. Nothing has ever been too terrible in life for Spanish art to represent; it is as ruthlessly veracious as Russian literature; and of all the painters and sculptors who have portrayed the story of Christianity as a tale of torture and slaughter, the Spaniards have studied it closest from the fact; perhaps because for centuries the Inquisition lavished the fact upon them.

The supreme interest of the cathedral is, of course, the Royal Chapel, where on a sunken level Ferdinand and Isabel lie, with their poor mad daughter Joan and her idolized unfaithful husband Philip the Fair, whose body she bore about

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with her while she lived. The picture postal has these monuments in its keeping and can show them better than my pen, which falters also from the tremendous retablo of the chapel, so dense with the agonies of martyrdom and serene with the piety of the Catholic Kings kneeling placidly amid the horrors. If the picture postal will not supply these, or reproduce the many and many relics and memorials which abound there and in the sacristy—jewels and vestments and banners and draperies of the royal camp-altar — there is nothing for the reader but to go himself and see. It is richly worth his while, and if he cannot believe in a box which will be shown him as the box Isabel gave Columbus her jewels in merely because he has been shown a reliquary as her hand-glass, so much the worse for him. He will not then merit the company of a small choir-boy who efficiently opens the iron gate to the crypt and gives the custodian as good as he sends in back-talk and defiantly pockets the coppers he has earned. Much less will he deserve to witness the homely scene in an area outside of the Royal Chapel, where many milch goats are assembled, and when a customer comes, preferably a little girl with a tin cup, one of the mothers of the flock is pinioned much against her will by a street boy volunteering for the office, and her head held tight while the goatherdess milks the measure full at the other end.

Everywhere about the cathedral beggars lay in wait, and the neighboring streets were lively with bargains of prickly pears spread open on the ground by old women who did not care whether any one bought or not. There were also bargains in palmistry; and at one place a delightful humorist was selling clothing at auction. He allured the bidders by having his left hand dressed as a puppet and holding a sparkling dialogue with it; when it did not respond to his liking he beat it with his right hand, and every now and then he rang a little bell. He had a pleased crowd about him in the sunny square; but it seemed to me that all the newer part of Granada was lively with commerce in ample, tram-trodden streets which gave the shops, larger than any we had seen out of Madrid, a chance uncommon in the narrow ways of other Spanish cities.

The guide, to whom we had fallen in the absence of our French-speaking guide of the day before, spoke a little English, and he seemed to grow in sympathetic intelligence as the

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morning passed. He made our sight-seeing include visits to the church of St. John of God, and the church of San Geronimo, which was built by Gonsalvo de Cordova, the Great Captain, and remains now a memorial to him. We rang at the door, and after long delay a woman came and let us into an interior stranger even than her being there as custodian. It was frescoed from floor to ceiling everywhere, except the places of the altars now kept by the painted retablos and the tombs and the statues of the various saints and heroes. The retablo of the high altar is almost more beautiful than wonderful, but the chief glory of the place is in the kneeling figures of the Great Captain and his wife, one on either side of the altar, and farther away the effigies of his famous companions-in-arms, and on the walls above their heraldic blazons and his. The church was unfinished when the loyal Captain died in the displeasure of his ungrateful king, and its sumptuous completion testifies to the devotion of his wife and her taste in choosing the best artists for the work.

I have still the sense of a noonday quiet that lingered with us after we left this church and which seemed to go with us to the Hospital of St. John of God, founded, with other hospitals, by the pious Portuguese, who, after a life of good works, took this name on his well-merited canonization. The hospital is the monument of his devotion to good works, and is full of every manner of religious curio. I cannot remember to have seen elsewhere so many relics under one roof, both bones of holy men and women, idols of the heathen brought from Portuguese possessions in the East which are now faded from the map, as well as the body of St. John of God shrined in silver in the midst of all.

XI

I do not know why I should have brought away from these two places a peacefulness of mind such as seldom follows a visit to show places, but the fact is so; perhaps it was because we drove to and from them, and were not so tired as footworn sight-seers are, or so rebellious. One who had seen not only the body of St. John of God, but his cane with a whistle in it to warn the charitable of his coming and attune their minds to alms-giving, and the straw basket in which he collected food for the poor, now preserved under an embroidered satin covering, and an autograph

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letter of his framed in glass and silver, might even have been refreshed by his experience. At any rate, we were so far from tired that after luncheon we walked to the Garden of the Generalife, and then walked all over it. The afternoon was of the very mood for such a visit, and we passed it all there in those walks and bowers, and the black cypress aisles, and the trees and vines yellowing to the fall of their leaves. The melancholy laugh of water chasing down the steep channels and gurgling through the stone rails of stairways was everywhere, and its dim smile gleamed from pools and tanks. In the court where it stretched in a long basin an English girl was painting and another girl was sewing, to whom I now tardily offer my thanks for adding to the charm of the place. Not many other people were there to dispute our afternoon's ownership. I count a peasant family, the women in black shawls and the men wearing wide, black sashes, rather as our guests than as strangers; and I am often there still with no sense of molestation. Even the reader who does not conceive of a garden being less flowers and shrubs than fountains and pavilions and porches and borders of box and walls of clipped evergreens, will scarcely follow me to the Generalife or outstay me there. The place is probably dense with history and suffocating with association, but I prefer to leave all that to the imagination where my own ignorance found it. Of the whole Alhambra group the Generalife was strangest to me. A painter had told me once of his spending a summer in it, and he showed some beautiful pieces of color in proof, but otherwise I came to it with a blank surface on which it might photograph itself without blurring any earlier record. This, perhaps, is why I love so much to dwell there on that never-ending afternoon of late October. It was long past the hour of its summer bloom, but the autumnal air was enriching it beyond the dreams of avarice with the gold which prevails in the Spanish landscape wherever the green is gone, and we could look out of its yellowing bowers over a landscape immeasurable in beauty. Of course, we tried to master the facts of the Generalife's past, but we really did not care for them and scarcely believed that Charles V. had doubted the sincerity of the converted Moor who had it from Ferdinand of Aragon, and so withheld it from his heirs for four generations until they could ripen to a genuine Christianity at Genoa, whither they withdrew and became the patrician

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family now its proprietors. The arms of this family decorate the roof and walls of the colonnaded belvedere from which you look out over the city and the plain and the mountains; and there are remnants of Moorish decoration in many places, but otherwise the Generalife is now as Christian as the noble Pallavicini who possess it. There were plenty of flower-beds, box-bordered, but there were no flowers in them; the flowers preferred standing about in tall pots. There was an arbor overhung with black forgotten grapes before the keeper's door and in the corner of it dangled ropes of fire-red peppers.

This detail is what, with written help, I remember of the Generalife, but no feature of it shall fade from my soul. From its embowered and many-fountained height it looks over to the Alhambra, dull red, and the city wall climbing the opposite slope across the Darro to a church on the hill-top which was once a mosque. The precipice where the garden clings plunges sheer to the river-bed with a down-look insurpassably thrilling; but the best view of the city is from the flowery walk that runs along the side of the Alcazaba, which was once a fortress and is now a garden, long forgetful of its office of defending the Alhambra palace. From this terrace Granada looks worthy of her place in history and romance. We visited the Alcazaba after the Generalife, and were very critical, but I must own the supremacy of this prospect. I should not mind owning its supremacy among all the prospects in the world.

XII

Meanwhile our shining hotel had begun to thrill with something besides the cold which nightly pierced it from the snowy Sierra. This was the excitement pending from an event promised the next day, which was the production of a drama in verse, of peculiar and intense interest for Granada, where all the scene of it was laid in the Alhambra at one of the highest moments of its history, and the persons were some of those dearest to its romance. Not only the company come to perform it (of course the first company in Spain) had been in the hotel overnight, the ladies of it gleaming and glooming through the cold corridors, but the poet had been conspicuous at dinner, with his wife, young and beautiful and blond, and powdered so white that her blondness was of quite a violet cast. There was not so much

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a question of whether we should take tickets as whether we could get them, but for this the powerful interest of our guide availed, and he got tickets providentially given up in the morning for a price so exorbitant I should be ashamed to confess it. They were for the afternoon performance, and at three o'clock we went with the rest of the gay and great world of Granada to the principal theater.

The Latin conception of a theater is of something rather more barn-like than ours, but this theater was of a sufficiently handsome presence, and when we had been carried into it by the physical pressure exerted upon us by the crowd at the entrance we found its vastness already thronged. The seats in the orchestra were quickly taken; the gallery under the roof was loud with the impatience for the play which the auditors there testified by cries and whistlings and stampings until the curtain lifted; the tiers of boxes rising all round the theater were filled with family parties. Family parties they literally were, with the fathers and mothers in front and the children between them of all ages down to babies in their nurses' arms. These made themselves perfectly at home, in one case reaching over the edge of the box and clawing the hair of a gentleman standing below and openly enjoying the joke. The friendly equality of the prevailing spirit was expressed in the presence of the family servants at the back of the family boxes, from which the latest fashions showed themselves here and there, as well as the belated local versions of them. In the orchestra the men had promptly lighted their cigars and the air was blue with smoke. Friends found one another, to their joyful amaze, not having met since morning; and especially young girls were enraptured to recognize young men; one girl shook hands twice with a young man, and gurgled with joy as long as he stood near her.

As a lifelong lover of the drama and a boyish friend of Granadan romance, I ought to have cared more for the play than the people who had come to it, but I did not. The play was unintentionally amusing enough; but after listening for two hours to the monotonous cadences of the speeches which the persons of it recited to one another, while the ladies of the Moorish world took as public a part in its events as if they had been so many American Christians, we came away. We had already enjoyed the first entr'acte, when the men all rose and went out, or lighted fresh cigars and went

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to talk with the Paris hats and plumes or the Spanish mantillas and high combs in the boxes. The curtain had scarcely fallen when the author of the play was called before it and applauded by the generous, the madly generous, spectators. He stood bowing and bowing on tiptoes, as if the wings of his rapture lifted him to them and would presently fly away with him. He could not drink deep enough of the delicious draught put brimming to his lips, and the divine intoxication must have lasted him through the night, for after breakfast the next morning I met him in our common corridor at the hotel smiling to himself, and when I could not forbear smiling in return he smiled more; he beamed, he glowed upon me as if I were a crowded house still cheering him to the echo. It was a beautiful moment, and I realized even better than the afternoon before what it was to be a young poet and a young Spanish poet, and to have had a first play given for the first time in the city of Granada, where the morning papers were now glowing with praise so ardent that their print all but smoked with it.

I was on my way down-stairs to witness the farewell scene between the leading lady and the large group of young Granadans who had come up to see her off. When she came out to the carriage with her husband, by a delicate refinement of homage they cheered him, and left him to deliver their devotion to her, which she acknowledged only with a smile. But not so the leading lady's lady's-maid, when her turn came to bid good-by from our omnibus window to the assembled upper servants of the hotel. She put her head out and said in a voice hoarse with excitement and good-fellowship, "*Adios, hombres!*" ("Goodby, men!"), and vanished with us from their applausive presence.

With us, I say, for we, too, were leaving Granada in rain which was snow on the Sierra and so cold that we might well have seemed leaving Greenland. The brave mules which had so gallantly, under the lash of the running foot-boy beside them, galloped uphill with us the moonlight night of our coming, now felt their anxious way down in the dismal drizzle of that last morning, and brought us to the plaza before the station. Here there was a wide puddle where I thought our craft should have floundered, but it made its way to the door, and left us dry shod enough within and glad to be quitting the city of my young dreams.

William Dean Howells.

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WILLIAM MAKEPEACE THACKERAY AND HENRY FIELDING

BY FREDERICK S. DICKSON

THACKERAY once said that his English would have been better had he read Fielding before he was ten. Apparently he did read him when very young for Mr. Grego describes a copy of the first edition of *Joseph Andrews* with marginal drawings by Thackeray, and these sketches, reproduced in *Thackerayana,* are quite in the manner of his school-days. The earliest reference to Fielding in any of Thackeray's writings is in *Caricature* and *Lithography* in Paris, which appeared first in the *Westminster Review* for April, 1839, and there is another brief reference in the *Paris Sketch Book* of 1840. It was just at this time, also, that Thackeray wrote his first extended criticism on Fielding, in a review of Thomas Roscoe's edition of the works, London, 1840, and printed in the *Times* for September 2d of that year. Here he tells us that "Fielding's men and Hogarth's are Dickens's and Cruikshank's, drawn with ten times more skill and force," and that "the picture of Amelia is the most beautiful and delicious description of a character that is to be found in any writer not excepting Shakespeare." And of *Tom Jones* he says:

> "Moral or immoral, let any man examine this romance as a work of art, merely, and it must strike him as the most astounding production of human ingenuity. There is not an incident, ever so trifling, but advances the story, grows out of former incidents and is connected with the whole. Such a literary *providence,* if we may use such a word, is not to be seen in any other work of fiction. It is marvelous to think how the author could have built and carried all this structure in his brain as he must have done before he began to put it on paper."

It was right that Thackeray should think well of Fielding for Thackeray owes more to him than to any other

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person or thing, or to *all* other persons and things. It is clear that Thackeray made his first real study of the art of Fielding during 1839 and 1840, and up to that time, although Thackeray's English was of the best, he had not shown even mediocre abilities as a story-teller. For seven years he had been living from hand to mouth as a hack-writer for newspapers and magazines, and the best he could show was *Yellowplush, Major Gahagan, Catherine, Stubbs's Calendar, Barber Cox,* and *A Shabby Genteel Story,* the last his most ambitious effort. This latter story was begun in *Fraser* for June, 1840, and continued in July and August. During August, when he should have been writing his next number, he works instead over Fielding, reading, writing, pondering over the man and wondering at his work. This *Times* article of Thackeray's is no perfunctory bit of hack work but a serious study. In the clumsy Roscoe volume he reads *Amelia* and glows in his admiration for it. Without other evidence, without needing other, it seems clear that Thackeray realizing through this study of Fielding the hopeless defects of the story he had been working over becomes discouraged at it all and abruptly closes it out in the October number of the magazine. When the *Shabby Genteel Story* was reprinted in the *Miscellanies* Mr. Thackeray appends a note, dated April 10, 1857, which seems to imply that the story was abruptly finished on account of the illness of his wife, but in a letter to Mrs. Brookfield, written in November, 1850, he says that "twelve days after this Fielding article appeared in the *Times* my poor little wife's malady showed itself," and that would be on September 14th, but the end of the story appeared in the October number of the magazine and so must have been sent off, or at least written, before the middle of September.

In the same letter to Mrs. Brookfield he says: "The *Times* gave me five guineas for the article. I recollect I thought it rather shabby pay." So doubtless it was, and yet what the *Times* gave was nothing to what Fielding gave, for only this made possible the splendid achievements of the coming years. Almost immediately was begun the *Great Hoggarty Diamond,* the first number appearing in *Fraser* for September, 1841, and in December John Sterling writes: "What is there better in Fielding or Goldsmith? There is more truth and nature in one of these papers than in all Dickens's novels together," and Thomas Carlyle gives a grim nod as

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he records it. Then in 1844 Thackeray makes a still greater advance in *Barry Lyndon,* and it will ever be a tribute to the ingrained stolidity of the Victorian era that this masterpiece was allowed to remain buried for eleven years in the forgotten pages of *Fraser.* In January, 1847, the first part of *Vanity Fair* appeared, and on its completion in July, 1848, William Makepeace Thackeray took his place by the side of his master, Henry Fielding.

Thackeray fully realized his debt to Fielding and acknowledged it at times generously, and at times curiously. Unfortunately in Thackeray's day little was known of Fielding, and what little there was was buried under a mass of things quite impossible.

So Thackeray was tireless in conjuring up pictures of the profligacy of Henry Fielding, clothing them in sparkling phrases and sending them forth to injurious result. With naught but the imagination to guide or restrain, he shows Fielding, even in the latter years of life, "in a watch or sponging home, fuddled most likely," or "in his tavern chair carousing with Heaven knows whom," "ready for a row, or a bottle, or what you please," "a young fellow upon town with very loose morals indeed, and never seems to have any thought of anything beyond the pleasure of living and being jolly." "If he led a sad, riotous life, and mixed with many a bad woman in his time, his heart was pure as he knew a good one when he found her." Now all this is pure assumption, mere romancing, and if *any* of it is intended to apply to aught but his youthful days it is distinctly untrue.

In a brief sentence in the lecture, Thackeray refers to the Lady Bellaston incident and in the *Times* article not at all. In the *Newcomes,* however, he speaks thus vigorously through the lips of Colonel Newcome.

> "*Tom Jones,* sir; *Joseph Andrews,* sir," he cried, twisting his mustachios; "I read them when I was a boy, when I kept other bad company, and did other low and disgraceful things, things of which I'm ashamed now. As for that Tom Jones—that fellow that sells himself, sir—by heavens my blood boils when I think of him. I wouldn't sit in the same room with such a fellow, sir. If he came in at that door, I would say, 'How dare you, you hireling ruffian, to sully with your presence an apartment where my friend and I are conversing together? Where two gentlemen, I say, are taking their wine after dinner? How dare you, you degraded villain!'"

All these vigorous words we find in Chapter IV. of the

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first volume of the *Newcomes,* but if we turn back to Chapter II. of the same admirable volume we may read the biography of Thomas Newcome, Sr., the father of the Colonel. A successful merchant, with ample means, he is left a widower with one son. With no need to urge, he yet marries Miss Hobson, older than he, with no attractions of mind, manner, or person, simply because she is possessed of a quarter million of pounds sterling. Selling himself for this price he actually receives from his wife nothing save twins, and he lives the rest of his life in a state of humiliating subjection to her. The gardener bows politely to him, but takes his orders from the lady. When he comes to make his will he is forced, through fear of his wife, to divide his little fortune with the twins so that our good Colonel receives but a third of what should have been his just inheritance. Dying before his wife he fails to get any part of the price for which he thought he had sold himself. And Thackeray, venting his wrath upon Tom Jones for the hundred-pound note he got from Lady Bellaston, slaps Thomas Newcome on the back in hearty congratulation and tells us that "every one of his old friends, and every honest-hearted fellow who likes to see shrewdness, and honesty, and courage, succeed was glad of his good-fortune, and said, 'Newcome, my boy' (or 'Newcome, my buck' if they were old city cronies and very familiar) 'I give you joy.'"

Now the differences in these two cases were that one transaction was sanctified by the Church, and in the other no sanctity was pretended; one was a sale for life, the other but for a day or two; one bartered his honor for money he did not get while the other received payment in advance; one, unrepentant, continues the relation till death, the other, repentant, rids himself of it as promptly as possible. Fielding makes us see the evil in Tom Jones, while Thackeray himself never discovered the degradation of Thomas Newcome.

Sir Walter Scott makes the astounding discovery that the Lady Bellaston incident was due to "the unhappy circumstances of his life and of the society to which they condemned him," as if the Lady Bellastons were to be found amongst charwomen, rather than in high life. The truth is that this proves Fielding's intimate knowledge of high life rather than the reverse. Lord Chesterfield tells us

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that the great Duke of Marlborough, when he was young John Churchill, ensign of the Guards, was, from the graces of his person, kept by the Duchess of Cleveland, from whom he received at one time no less than five thousand pounds with which he at once cannily purchased an annuity from the Marquis of Halifax. Later, when a duke and rich, he refused to lend the Duchess of Cleveland twenty guineas at basset, and, when an old man, walked to his lodgings at night from the Assembly-room at Bath rather than pay sixpence for chair hire, and all England honors the man who is provident. Miss Edwards, an unmarried lady of great fortune, openly kept Lord Ann Hamilton. General Braddock was kept by a Mrs. Upton, and when he meanly begged for more she declared she had but a few shillings, displaying her purse in proof. Snatching it from her hand he found concealed half a dozen guineas, which he took, and throwing the empty purse in her face exclaimed, "Did you mean to cheat me?" Horace Walpole, who tells the story adds, "And now you know General Braddock." And then again comes Horace Walpole with the story of Lady Mary Wortley Montagu being imprisoned, almost, and her letters opened by a young man *she* had been keeping. It is easy enough to see from all this where Fielding got his material for the creation of Lady Bellaston.

Henry Fielding, great grandson of an earl, a man of wit and education, who would have been welcomed in the ranks of high society, chose for his wife a simple country girl from Salisbury, and on her death married her maid, and Lady Mary Wortley Montagu, outraged that her cousin should have preferred such a woman to one of her own rank, writes bitterly after his death that "he could find rapture in the arms of his cook-maid," and on this Thackeray and others dwell upon the low character of Fielding's acquaintances. Now it is quite likely that Henry Fielding *did* prefer the Cradocks and even the Mary Daniels of that day to the friends of Lady Mary and Horace Walpole, and if he did it is much to his credit.

But Thackeray insists upon finding disreputable company for him. In the *Times* article he discovers him consorting with the Lady Bettys of Garrick's Company, and "often with other inhabitants of Covent Garden not even so reputable." Now Garrick's first experience as a manager was in the winter of 1747 and by that time Henry

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Fielding had discontinued all connection with the theater, had written *Joseph Andrews* and was busy over *Tom Jones*. In the *English Humorists* Mr. Thackeray discovers Fielding "amongst the Oldfields and Bracegirdles behind the scenes." This is an even more unfortunate vagary for Mr. Thackeray. Mrs. Bracegirdle retired from the stage in 1707, the year of Fielding's birth, and only returned to it once in 1709 for Betterton's benefit. When Fielding's first play appeared he was twenty and the lady sixty-four, and it does not appear that he ever met her. Mrs. Oldfield did appear in Fielding's "Love in Several Masques," on February 12, 1728, and did so much toward the success of the play that Fielding acknowledged it generously in the preface. On March 16, 1728, Fielding was certainly in Leyden, from whence he returned about January, 1730, while Mrs. Oldfield died in the following October. During all this time Mrs. Oldfield was the mistress of Colonel Churchill, and the result was a son who married Mary Walpole, the natural daughter of Sir Robert Walpole and "Moll" Skerrit. Mrs. Oldfield was buried in Westminster Abbey, an honor which was denied to Thackeray and which, apparently, no Englishman ever dreamed of conferring upon Henry Fielding.

Indeed, barring the discredited Rigby-Walpole story and Lady Mary's ill-natured fling at the "cook-maid" there is no contemporary evidence at all of Fielding consorting with low or vulgar company. Had there been we may be sure that both Richardson and Dr. Johnson would have exploited it, writ large. As it is, they condemn Fielding for introducing in his stories such low characters as a footman, a coachman, a waiting-woman, and a tavern-keeper, and the fact that they conclude from this that he must have known all these people to be able to describe them proves that they could have no other evidence than this. As well might we condemn for low association the creators of Bill Sykes and Sam Weller, or of Captain Costigan and Fred Bayham.

As to Fielding's relations with women the only witness we have that we can call contemporary is Arthur Murphy and he says that, "though disposed to gallantry by his strong animal spirits and the vivacity of his passions, he was remarkable for tenderness and constancy to his wife and the strongest affection for his children." And the sturdiest friend of William Makepeace Thackeray could

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not say more nor better of him. Asked to name Thackeray's heroines one instinctively begins with Becky Sharp and Beatrix Esmond, and then pauses, for it makes little difference who is named next. The good ones, the Amelias, the Ethels, and the rest, fail to interest, for in them all there is nothing vivid, nothing clear, nothing *alive*. Why, Blanche Amory, slight as she is, has more life in her than a dozen Lauras! On the contrary, try Fielding by the same test, and just as unhesitatingly we pick out the good ones, and name Sophia Western and Amelia Booth. Fielding's bad women, like Thackeray's good ones, are negligible. Though as much alive as the good ones they still do not count. We do not care for Mrs. Fitzpatrick, or Lady Bellaston, or Miss Matthews any more than we do for Laura Pendennis, or Ethel Newcome, or Amelia Sedley. It is clear that Thackeray best knew the shady-lady type and drew it with surer and stronger hand than he did or could draw the faithful wife and mother. So here is better evidence than either carping or fulsome critic can furnish as to one aspect in the lives of these two great men.

When Thackeray began to write *Vanity Fair* it was with the vision of Fielding's *Amelia* in his mind, and with the evident intention of reproducing in some measure at least the charms of the eighteenth-century heroine. He gave her the same name, as if determined that she should be loved for her virtues as was her elder, and yet, in the very first chapter, when Becky, the bad, tosses Johnson's dictionary at the feet of the astonished Jemima, we adore the little devil, and Amelia, the good, has lost her chance forever. Thackeray early realizes the hopeless nature of his task and frankly takes the heroine's crown from Amelia to place it on Becky's chestnut locks. In the end we all hope that Becky got enough out of that fool Joseph to make her comfortable. On the other hand, Fielding's Amelia is kept in the background and Miss Fanny Matthews holds the center of the stage for a couple of weeks before Amelia arrives unexpectedly in the prison parlor, and yet, on the instant, we love Amelia and detest Miss Matthews. From the beginning we are unable to understand the infatuation of Colonel James and finally we take infinite comfort as the lady grows "immensely fat."

Thackeray cordially admired Fielding for the lights and shadows of his character-drawing and says: "The virtues

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which he exhibits shine out by their contrasts with the vices which he paints so faithfully as they never could have done if the latter had not been depicted as well as the former," and so when he sets out to tell what manner of man Fielding was he uses the same art to make Fielding's virtues more prominent, and if he fails to find the necessary vices for his picture he does not hesitate to invent them. For the sake of his art he will sacrifice the artist he so cordially admired. And in all this there is a brave show of candor and doubtless his voice trembled as he said, " Let us then not accuse Fielding of immorality," and he protests he cannot make a hero of him. " Why hide his faults?" he asks as he proceeds to invent new ones. Is this too harsh a sentence? Let us face the facts. Roscoe, whose memoir Thackeray had been reading in 1840, says " that Fielding was frequently known to return late at night from a convivial meeting and proceed to read and make extracts from the most abstruse authors before he retired to rest." This story Roscoe got from Murphy who got it apparently from hearsay. In any event there is nothing more to be known of the matter as Murphy apparently was the first to give it to print. Now this did not suit Mr. Thackeray's point of view at all, for it indicated sobriety and moderation, as no man when drunk can read and note abstruse authors, and therefore Mr. Thackeray writes in the *Times,* " They say he used to come home from a supper party, and after tying a wet cloth around his head would begin to read as stoutly as the soberest man in either of the Temples." Thereafter this figure became the central object on Thackeray's picture of Fielding. He uses again almost these exact words in the lectures on *The Humorists,* just as the lolling red tongue of the dog shines out in Sargent's famous portrait of Wertheimer, and Thackeray intended the stroke for just such an artistic purpose. There was nothing of malice in this, only too great devotion to art. Again, to lighten up a page in *Pendennis,* which Thackeray may have thought dull, he exhibits Fielding with his " wet towel round his head, dashing off articles at midnight for the *Covent Garden Journal,* while the printer's boy is asleep in the passage."

The outlines of Mr. Thackeray's picture being settled, he summons imagination to fill in the details. Thackeray sober must discover Fielding drunk. " His muse had sung the loudest in tavern choruses, had seen the daylight stream-

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ing over thousands of emptied bowls and reeled home to chambers on the shoulders of the watchman." In *Amelia* we are told, as was Mr. Thackeray told, that "the watchmen in our metropolis are chosen out of those poor old decrepit people, who are from their want of bodily strength rendered incapable of getting a Livelihood by Work." It required the abounding imagination of a Thackeray to see such a one bearing homeward the stalwart form of Fielding. And the "emptied bowles by the thousands." This is creation. "Let there be bowles!" And there were bowles! That Fielding drank in his youthful days, as most Englishmen then drank, is most likely. Murphy testifies to this as does Lady Mary Wortley Montagu. But she knew nothing of his latter days, as she left England in July, 1739, not to return until after his death. Under the influence of drink many a genius has dashed off a short story or a poem, but the world has yet to see genius capable of sustained effort, such as we find in *Tom Jones,* while under the influence of liquor, or with a brain clouded by over-indulgence in the past. Either Henry Fielding did not drink as Thackeray insists he drank, or else some other hand than his penned *Joseph Andrews, Tom Jones,* and *Amelia.* The incongruity is so manifest that the early biographers from Murphy to Thackeray ought to have seen that the man, Fielding, could not have been what they were insisting he was, and yet have accomplished what they knew he did.

In all his historical efforts Mr. Thackeray avoids the use of dates, and, of course, they do in a measure hamper and retard the imagination. "Once I wrote a tragedy," confessed Herbert Spencer to Huxley. "I know the plot!" exclaimed Huxley. "Impossible!" insisted Spencer, "for till now I never told of its existence." "Yet I know," persisted Huxley, "it was a beautiful theory killed by a nasty, ugly, little fact." Thackeray tells us the stock story of Fielding's wife inheriting a little fortune from her mother, and Fielding at the same time a small one from his mother, amounting in all to five or six thousand pounds, and how he retired to the country and in three years spent it all on horses and hounds and riotous living, in all of which there is to be found scarcely any truth at all. Fielding's mother died in 1718, leaving six children and an estate of about £3,000. Three years later the net income of the estate was £150, giving £25 a year for the education of each child. On

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February 12, 1735, Henry Fielding was living at No. 12 Buckingham Street, London. On February 25th the will of Elizabeth Cradock was proved and by it Fielding's wife got about £1,500. With this the couple probably retired to Fielding's little farm-house at East Stour. They scarcely could have remained there a full year, for by March 6, 1736, Fielding had written "Pasquin," leased a theater, gathered together a company of players, and had begun his career as a manager. He could not have spent all his wife's money, as he must have had some capital to enable him to secure this lease and form a company. Nor did he then spend his mother's estate at East Stour, for he only sold his interest in this property in Trinity term, 1738, after he had begun the study of the law, and with the proceeds of the sale he must have supported his family during the period of his study. On July 9, 1739, he wrote to Mr. Nourse asking for a house of a rent of £40, near the Temple, showing that even then his resources were not exhausted. Thus is the beautiful theory of horses and hounds, and liveries and revels, killed by "nasty, ugly, little facts." Chatting with Bayard Taylor about his projected *History of the Reign of Queen Anne,* Thackeray said: "I want to absorb the authorities gradually, so that when I come to write, I shall be filled with the subject and can sit down to a continuous narrative without jumping up every moment to consult somebody." This was Thackeray's conception of History; our conception of Fiction.

Thackeray fancies "young Fielding from Leyden rushing upon the feast with his great laugh and immense healthy young appetite, eager and vigorous to enjoy," and he describes the friends he won, the good clothes he wore, the debts he made, and the easy manner in which he borrowed from his friends, "and bore down upon them for a dinner or a guinea," and "to supply himself with the latter he *began* to write theatrical pieces." All of which is mere fancy and unkindly fiction, for Fielding began to write for the stage before he ever went to Leyden, and without waiting to get into debt. In the midst of his study there he wrote *Don Quixote in England,* which Mr. Thackeray might have learned by a glance at page 991 of the book he was reviewing, and this little fact would have left one less windmill at which to tilt. He comes from Leyden, about January 1, 1730, and on the 26th of the month is produced the

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"Temple Beau" at Goodman's Fields, followed March 10th by the "Author's Farce" at the Haymarket, and later by "Tom Thumb" and the "Coffee-House Politician" at the same theater. Four plays, written and produced in one year, by a youth of twenty-three, leaves little time for intemperance, and less cause for borrowing or sponging. How unkind is the suggestion of "bearing down upon his friends for a dinner or a guinea," and how Thackeray would have shrunk, as from a blow, if one had described him as bearing down thus upon the Brookfields, or the host of the little brown house in New York! How we all delight in giving dinners to those of our friends who do not need them! Many's the dinner Thackeray got which the honest host was glad to give. How proud would one of us be, if we, or one of our grandsires, had been able to step into that little sunshiny arbor at Margate and to carry off Mr. Titmarsh to dinner, and to slip into his hands the hundred-pound note he needed so badly then, to be returned, of course, when fortune smiled upon him. And here is the real Ralph Allen—how we admire and envy him for sending £200 to Henry Fielding when, it is said, he then knew him not at all. And what a wise investment for Allen, assured thereby of fame as long as shall live Tom Jones and his left-handed uncle, Thomas Allworthy!

Mr. Thackeray declares that Fielding "would have been very successful at the bar, but for certain circumstances" and adds, "These ugly circumstances always fall in the way of men of Fielding's genius," just as they were to fall in the way of Thackeray's genius a little later. The truth is that both men were called to the bar in middle life and neither could afford to wait. "It is a pity Fielding did not live on his income," exclaims Thackeray, and here is the root of the whole matter: Fielding refused to be prosperous, and than that no man can commit a crime more flagrant in the eyes of an Englishman, and an American simply cannot understand such a creature at all.

An author realizes the danger in seeking autobiography in fiction and yet authors, of all men, seem most prone to this error. Thackeray constantly does this with Fielding and with no contemporary authority, save Lady Mary, who thinks she sees Fielding in Booth, and yet was out of the country during most of Fielding's married life, and so also Samuel Richardson, who, with no opportunity for judg-

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ing, says, "Tom Jones is Fielding himself, hardened in some places, softened in others." Thackeray fastens lovingly on both theories and says: "He is himself the hero of his books; he is wild Tom Jones, he is wild Captain Booth, less wild, I am glad to think than his predecessor, at least heartily conscious of demerit and anxious to amend." And later he deplores "Jones's fondness for drink and play; Booth's fondness for play and drink, and the unfortunate position of the wives of both gentlemen." Now nowhere do we find Mr. Jones displaying the least fondness for either play or drink. Only once is he on record as taking too much wine, and that was on the occasion of Mr. Allworthy's recovery from serious illness, and this slip we can readily excuse. Evidently he did not take much too much, for within the hour he was sober enough to vanquish at fisticuffs both the Rev. Thwackum and Blifil, and instead of taking offense at this we cannot help wishing he had taken a mite too much long before. As for the "play," if we are to believe his biographer, he never gambled at all. But this satisfies not Thackeray. Tom Jones and Harry Fielding were one and the same, and in such an age Fielding must have drunk deeply and played heavily, and therefore Tom Jones did likewise, and if Fielding failed to record it he failed in his duty to the reader. This is Thackeray's attitude and if it is bad history, so much the worse for History.

Some biographers of Fielding think they find a touch of autobiography when the author says to Minos at the gates of Elysium that:

"I confess'd I had indulged myself very freely with Wine and Women in my Youth, but had never done an Injury to any Man living, nor avoided an Opportunity of doing good; that I pretended to Very little Virtue more than general Philanthropy, and private Friendship."

Now this may be autobiography and it may not be, but it is not a whit more likely to be such than is this passage from the *Paris Sketch Book* of Mr. Titmarsh:

"The life of the young artist is the easiest, merriest, dirtiest existence possible. Each gentleman has his favorite tobacco pipe; and the pictures are painted in the midst of a cloud of smoke, and a din of puns and choice French slang, and a roar of choruses, of which no one can form an idea who has not been present at such an assembly. How he passes his evenings, at what theaters, at what guinguettes, in company with what seducing little milliner, there is no need to say; but I know one who pawned his coat to go to a carnival ball and walked abroad very cheerfully in his *blouse* for six weeks, until he could redeem the absent garment."

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And if both be true, what then? And if it was Mr. Michael Angelo Titmarsh who wore his *blouse* abroad and was with the questionable little milliner at the more questionable guinguette, what then? Was either less admirable as a writer? And should we who have not confessed as frankly be emboldened to throw stones? What did we expect from either man? Did we look for such a confession as was made by Mrs. Pilkington's grandsire, Colonel Meade, the father of twenty-one children, "a man of Fortune and in the Army," who declared on his death-bed "that he never had either when a Bachelor, or a Married Man, criminal conversation with a Woman; never was drunk; never broke his Word; nor ever us'd Tobacco." It is said that once the delightful Joseph Choate made some personal and complacent remark in the presence of the late Thomas B. Reed, sometime Speaker of the House, whereat an admiring bystander remarked, "My! I wish I could say that!" "Why don't you?" asked Reed. "Choate did."

Would we admire either Thackeray or Fielding more had their confession been as was that of the doughty Colonel Meade? And, in any event, do we want a confession from either? Be sure, their wives asked for none, so why should we? There is doubtless much in the novels of both men that they not only saw but bore a part in, but how much is truth and how much fiction, and which is truth and which is fiction, they being dead, no one on earth can say. For me I am content to believe that the best that can be found in Arthur Pendennis, in George Warrington, in Clive Newcome, or in Henry Esmond was Thackeray's own self, and that in the manliness of Tom Jones, in the devotion of Captain Booth to wife and children and in the faithfulness of Joseph Andrews, I am able to discover the real Harry Fielding. You cannot make such a sturdy creature as Fielding out of the weaknesses of Captain Booth, alone, any more than you can create the big and generous Thackeray out of nothing but the selfishness of Pendennis.

Probably we would fail to find in all literature two men more alike in manners, morals, and the way fate served them than these two—Henry Fielding and his admirable follower, William Makepeace Thackeray; and their points of contact, even the trivial ones, are more marked than the lines of divergence.

Thackeray's great-grandfather was Archdeacon of Sur-

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rey, Fielding's was Earl of Desmond. Thackeray's grandfather a writer in the East India Company and President of the Board of Revenue; Fielding's was canon of Salisbury. Thackeray's father was a writer, collector, and judge of Ramgath in India; Fielding's a lieutenant-general in the English army. Good men, with good wit for both—Fielding with rather the best of it in English eyes.

When Thackeray was ten years old he went to Charterhouse, as did Fielding to Eton at twelve. Thackeray's father died when he was four and Fielding was eleven when he lost his mother. Thackeray had a stepfather and Fielding a stepmother after the usual proper delay. Thackeray spent a year and a half at Cambridge and Fielding about the same time in Leyden. Thackeray studied law in London and then gave it up, from distaste. Fielding studied law in Leyden and gave it up from scarcity of funds. At Eton and Leyden Fielding was studious. He says, "Tuscan and French are in my head; Latin I write and Greek I read." Thackeray was certainly less of a scholar, did not make as good use of his time at Charterhouse and Cambridge, and palpably envied Fielding's superior attainments.

Thackeray lost the money his father left him, said to be about £20,000, some at the gaming-table, and as much in unwise newspaper ventures. Fielding got rid of his little estates, of possibly £2,000 in all, in part by gentleman farming and the rest at the price of being called to the bar. Thackeray started life as an artist and failed, then as a writer of reviews, and sketches and what not, and struggled with misfortune for years. Fielding did support himself, barely, as a playwright, and struggled with misfortune just as Thackeray did after him.

Thackeray went back to the law and was called to the bar at the age of thirty-seven. Fielding went back to the law and at thirty-three was likewise called. At thirty-eight Thackeray tried strenuously for an appointment as magistrate. At forty-one Fielding was made magistrate. Thackeray married when he was twenty-seven and poor. Fielding was married at twenty-five and was just as poor. Thackeray's wife lost her mind when he was twenty-nine; Fielding's wife died when he was thirty-six. Thackeray's wife survived him thirty years; Fielding, marrying a second time, his wife survived him more than forty-seven years, dying on May 11, 1802. Thackeray died at the age of fifty-two,

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and Fielding was forty-eight. With more of care both should have lived much longer, but both were careless.

Thackeray was generous and improvident and saved little or nothing until the lecturing days. Fielding was equally generous and improvident, and died poor, there being for him no lecturing days. Thackeray was jovial in disposition until he became prosperous, then less so. Fielding, apparently, was even more jovial, and, never becoming prosperous, remained jovial to the end. According to Dean Hole, Thackeray was six feet three inches in height, and his pictures show his broad shoulders. Murphy tells us that "Fielding was in stature rather rising above six feet, his frame of body large and remarkably robust."

Anthony Trollope accused Thackeray of idleness; Thackeray said Fielding was idle—both were wrong. Thackeray and Fielding both wrote under the urging of need. As successful stockbrokers neither would have doubtless written.

Thackeray was part owner in two newspapers, was editor of one magazine, and early in life was eager to try more. Fielding had four papers and did not rid himself of the habit till he had rid himself of his health. Thackeray produced his first great story, *Barry Lyndon,* when he was thirty-three. Fielding was thirty-five when *Joseph Andrews* appeared. Thackeray at forty-one gave the world *Esmond* and the world was gratified. At forty-two Fielding invented *Tom Jones,* and the world was more gratified, for, without *Tom Jones, Ivanhoe, David Copperfield* and *Vanity Fair* could not have been. Thackeray was forty-four when the *Newcomes* was completed; Fielding forty-four when *Amelia* was published. Thackeray went to Egypt and told of it in *From Cornhill to Grand Cairo;* Fielding went to Spain and told of it even more intimately in the *Journal of a Voyage to Lisbon.*

Thackeray tells us that Fielding spent much of his time in taverns, and taverns were the clubs of the eighteenth century. In the nineteenth, Thackeray belonged to the "Garrick," the "Reform," the "Athenæum," the "Travelers," "Our Club," and, appropriately, was a founder of the "Fielding." These six not sufficing, he dropped in at the Cyder Cellars, the Coal Hole, or Evans's.

"The best talker I ever listened to," said Dean Hole of Thackeray. "With more wit than all those you have named," said Lord Lyttleton of Fielding.

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Where can we find two figures, looming large as these two, who could have changed places with so little loss to the world? Had Thackeray lived in the early eighteenth century the "Wolves and the Lamb" might have been acted at Goodman's Fields, and on the rest of the plays he would have written he might have lived. Under like conditions he could have invented the modern novel, and, unconstrained, have created a more sentimental *Tom Jones,* and reveled in it. Fielding, hedged in by amazing Victorian years, would have written a more ironical *Pendennis,* chafing, declaring to the world that "since the author of *Tom Jones* was buried, no writer of fiction among us has been permitted to depict to his utmost power a *man.*"

Others before Thackeray wrote of Fielding, and wrote as he did, but the difference is that Thackeray's views count and count for much, while those others count for little, or count not at all. Speaking of his own early work Thackeray said, "They were small potatoes," and then added, whimsically, "but they were good small potatoes." And they *were* good, so good that after more than half a century they still count, as the big potatoes of lesser men do not.

And if no one, save Thackeray, has said so many harsh things of Fielding, and as no one has said them with such convincement, so also no one has said so many fine things of the eighteenth-century genius, and said them so glowingly.

"He has an admirable natural love of truth, the keenest instinctive antipathy to hypocrisy, the happiest satirical gift of laughing it to scorn. His wit is wonderfully wise and detective; it flashes upon a rogue and lightens up a rascal like a policeman's lantern. He is one of the manliest and kindliest of human beings; . . . he respects female innocence and infantine tenderness, as you would suppose such a great-hearted, courageous soul would respect and care for them. He could not be so brave, generous, truth-telling as he is were he not infinitely merciful, pitiful, and tender. He will give any man his purse—he can't help kindness and profusion. . . . He admires with all his heart good and virtuous men, stoops to no flattery, bears no rancor, disdains all disloyal acts, does his duty uprightly, is fondly loved by his family and dies at his work."

Only one man could have written that fine passage—Henry Fielding! And of only one other man could he have written it—William Makepeace Thackeray!

Frederick S. Dickson.

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ON THE PRIVILEGES OF REALISTS

BY HELEN SARD HUGHES

THERE is a query that raises itself in my mind again and again. It concerns itself with the sincerity of human nature and with those specious arguments men raise in defense of their own weaknesses. To-day I picked up *Moll Flanders* and read first Defoe's preface and then some chapters of the story. I had not read twenty pages before the old query was clamoring rampantly for consideration: How far does an asserted moral purpose justify the presentation of immoral material?

The Anglo-Saxon is traditionally credited with a strong ethical bent; with an instinct for reform; with a genteel habit of denominating a spade, a shovel. But is this accredited virtue his due, or has he builded this reputation for himself out of the stuff of loud assertions of a highly moral and didactic purpose while he continues to deal with material which pitch could not defile? The early English novelists pleased themselves and the public by setting forth in long introductions lofty sentiments on the conduct of life and on the hopeful aims behind the writing of their volumes and with inserting paragraphs of moral reflections here and there—drops of oil upon the troubled waters of their tales! But too often these idealistic reflections are utterly outweighed by the vivid realism that precedes and follows them. Psychologically considered, are these tales as a whole a *warning against* so much as an *example of* certain phases of life?

Richardson paints a romantically virtuous heroine and a realistically villainous hero, and he relies upon the holy meditations of the lady, his own running comment, and the final catastrophe to teach a powerful lesson. Yet whatever our other feelings may be on finishing the book, recognizing

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Clarissa as "the incomparable lady," as she surely is, we cannot but admit a secret satisfaction that she *is* the only one of her kind, whereas Lovelace, "the vilest of men," claims, in spite of our "Anglo-Saxon prejudices," a bit of both our pity and our admiration.

Fielding again shows that arrant rascal, Tom Jones, with all the compensating advantages of attractiveness of person and disposition; his evil ways still further palliated by contrast with the villainies of less pleasing individuals and by his subjection to a judicious amount of undeserved misfortune. And then Fielding pretends, in stray chapters of profitable exposition, to warn the reader against emulating in any way this admirable fellow.

Defoe writes *Moll Flanders*—more intensely realistic than the work of either of his notable successors—a picture of the lowest life of London drawn with an accuracy and a gusto that hardly acquit the author of an interest in his material *per se*. And then he prefaces it with an introduction in which he gravely suggests "a few of the serious inferences which we are led to in this book, and these are fully sufficient to justify any man in recommending it to the world and much more justify the publication of it." As an example of these "serious influences" he continues: "All the exploits of this lady of fame in her depredations upon mankind stand as so many warnings to honest people to beware of 'em, intimating to 'em by what methods innocent people are drawn in, plundered, and robbed and by consequence how to avoid them." And again: "As the whole relation is carefully garbled of all the levity and looseness that was in it, so it is applied and with the utmost care to virtuous and religious uses."

This sounds well, but can we entirely reconcile these statements of lofty purpose with all the detail included in the accounts of Moll's life in London? And are the circumstantial details in Lovelace's letters and in Moll Flanders's autobiography rendered any more palatable by the author's introductions, footnotes, and parenthetical paragraphs than is the objective baldness of Flaubert at a later date?

The writers of Restoration Comedy had half a century earlier dealt with similar material in a different mood. Their treatment is absolutely and frankly devoid of any moral motive. Yet in spite of this their characters are more unmoral than immoral, lacking, as they do, the ele-

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ment of actuality that would lead to judgment. Charles Lamb's expression of this conception in his essay "On the Artificial Comedy of the Last Century" has always seemed fair. He says:

"I could never connect those sports of witty fancy in any shape with any result to be drawn from them to imitation in real life. They are a world to themselves, almost a fairyland. Take one of their characters . . . and place it in a modern play and my virtuous indignation shall rise against the profligate wretch . . . because in a modern play I am to judge of the right and wrong. . . . But in its own world do we feel the creature is so very bad? The Fainalls, the Mirabels, the Dormants, and the Lady Touchwoods in their own sphere do not offend any moral sense; in fact, they do not appeal to it at all."

Congreve may be said, paradoxically, to exemplify an unmoral idealism that compares favorably with the moralistic realism of a century later. And by virtue of its lack of reality and individuality his treatment of questionable material seems the least offensive, yet his is a method French in style rather than English and free from that profound purpose which every true Englishman proudly asserts.

When I began to think on this subject I had not read *The English Rogue*, that early contribution to the English literature of roguery; but knowing of its English authorship and something of its content, I felt sure investigation would reveal a solemn statement of benefits conferred upon the reading public by that recital, four volumes long, of ingeniously varied violations of the Decalogue. And I was not mistaken, for in one of the prefaces the author states:

"—you have here laid before you a large catalogue of notorious rogueries; your own conscience may serve as a finger in the margin pointing directly to the guilt with which you are principally concerned; to deal plainly with you, had I lived in a less wicked age than this is, this book had ne'er been extant; it was the vicious practices of these corrupted times that gave it matter and form, life and being; . . . but since villainy improves itself daily, notwithstanding the lamentable examples monthly attending the commission thereof, I thought good to erect this monument of their shame and wickedness, which may serve instead of a continual Sessions and an everlasting Tyburne to fright these vile miscreants from their erroneous practices."

These authors, however, admit that they have met with some criticism of their methods of reducing crime by presenting it as clever and amusing, but they offer this conclusive argument for the rectitude of their purpose:

"—and if you will have a little patience you shall find . . . that no crime shall go unpunished, no particular person who hath been guilty

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of vicious extravagance but shall have a punishment for their crime; . . . and then I hope all persons who make use of this book will be induced to forbear and decline their wickedness lest a just judgment overtake them as they find it hath done to these extravagants. This is the true design and end of the book in general, and whoever makes any otherwise construction does greatly abuse the real and true intent of their honest monitor, Fra. Kirkman."

Still, we cannot but feel that the authors do protest too much, and the perusal of even a few pages of the work leaves us to marvel that any pretext could make so evil a tree appear to bring forth good fruit.

But these very arguments with which the seventeenth and eighteenth centuries justified themselves are being offered to us to-day in extenuation of our problem novel and problem drama. A prominent playwright presents a play which is forced off the New York stage. Certain broad and artistic persons censure this boorish intolerance, insisting upon the great moral value of such a production as a lesson and a warning. Yet, we may question, how large a proportion of the audience who witnessed that play is in need of warning? Is the small proportion which is sufficiently versed to read it aright wholesomely sensitive to its truth? And is the large proportion, comparatively unread in these chapters of the moralities, made better by partaking of the fruit of the tree of knowledge in this artistic form?

As usual, reflection on my years-old query leaves me an uncompromising idealist. I have a good deal of sympathy with the remark of Lovelace, Richardson's villain, that "There is enough in the world to make our hearts sad without carrying grief into our diversions and making the distresses of others our own." And then, more seriously, I must believe in a positive—not a negative—teaching of a positive morality; that it is by lifting up our eyes unto the hills that our strength cometh rather than by peering down into the dank darkness of the morasses. I cannot but feel a weak fallaciousness and a mocking insincerity in the much-talked-of moral purpose of much of our problem literature; and I believe, in spite of Mr. Wells's eloquent defense, that modern realists too might well insert into their pages the naïve sentiment upon the title-page of *The English Rogue:*

> "Read but don't Practice; for the Author findes
> They which live Honest have most quiet mindes."

HELEN SARD HUGHES.

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ASPECTS OF THE INCOME TAX

BY SYDNEY BROOKS

FEW events during the past decade have impressed foreign students of American affairs with such a sense of real importance as the recent adoption of the income-tax amendment to the Constitution. Both from the political and the economic standpoint it has been hailed in Europe as a decisive development. Changing the American Constitution is an enterprise so beset with difficulties and delays that it had almost come to be regarded abroad as impossible. Since the beginning of the nineteenth century Americans have altered their fundamental law five times only. The first time was in 1804 when an amendment was ratified clearing up certain ambiguities in the method of choosing the President and the Vice-President. The next three occasions occurred in the sixties when the Thirteenth, Fourteenth, and Fifteenth amendments, registering the results of the Civil War, were added to the Constitution without either the assent or participation of the seceding Southern States. Then came an interval of over forty years during which the Constitution remained absolutely unchanged—a singular testimony either to the foresight of its framers, or its lack of adaptability to modern conditions, or to the innate conservatism of the American people. In the course of those four decades it was no doubt modified from time to time in spirit, if not in form, by judicial interpretation and the slow and subtle growth of custom. But it was never formally amended. In the past hundred and ten years the American Constitution had thus been altered once in a purely technical detail that involved no question of principle, and three times as the consequence of a terrible convulsion. The adoption of the income-tax amendment on February 3d may, therefore, be said to be the only instance in well

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over a century in which the Constitution of the United States has been amended in any matter of genuine moment, under normal circumstances, and in accordance with the methods laid down by its framers. I need hardly add that this flickering of flexibility in an instrument so long looked upon as fossilized is welcomed in Europe as an auspicious sign that even in America things move and the dead hand is not omnipotent.

But on economic as well as political grounds the friends of America abroad regard the ratification of the income-tax amendment as a substantial step in the right direction. When the Constitution laid it down that no capitation or other direct tax should be imposed except by apportioning its incidence among the several States on the basis of their population, it raised the most effective barrier to any rational system of taxation that could possibly have been devised, and it practically forced the United States Government to depend for its revenue upon customs duties. Legal ingenuity, however, can get round anything; and the Supreme Court decided as long ago as 1789 that an income tax was not a direct tax and need not therefore be apportioned among the States. During the Civil War, by three successive Acts of Congress, taxes were actually levied on incomes and their constitutional validity was upheld by the Supreme Court. The worst of legal ingenuity, however, is that it cannot be depended on. In 1895 the Supreme Court reversed its decision of fifteen years earlier and incidentally shattered the fiscal programme of the Democratic party by pronouncing the income tax to be a direct tax, and therefore incapable of being levied except in strict proportion to the population of the various States, and therefore, in effect, incapable of being levied at all. There has been no more conspicuous instance in our time of the dangers of allowing a Court from which there is no appeal to determine the validity of a legislative enactment. The consequences of the decision of 1895 were to deny to the United States Government the right to tax incomes or personal property from whatever source and of whatever kind, to restrict it still further to indirect taxes as virtually its sole source of revenue, to deprive it of a power that might one day be vital to the safety of the Union, and to exhibit it in a condition of feebleness that was altogether incompatible with any sound conception of a sovereign State. All these disabilities

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have now been removed, and the Democrats must surely feel that with the adoption of the income-tax amendment, a great obstacle has been cleared from their path. To-day, as twenty years ago, the crucial task that confronts them is the downward revision of the tariff. It can only be effectively accomplished if they possess and can exercise the power to offset the almost inevitable decline in revenue by the imposition of direct taxation. The ratification of the amendment gives them this power and I assume they will not be slow to use it. Just as the proceeds of the income tax enormously facilitated Great Britain's conversion to Free Trade so it seems likely that the Democrats will utilize the same source of revenue to balance their inroads upon the schedules of the Payne Tariff Act. It is true, as I understand the matter, that they will be embarrassed by some difficulties that did not affect the British statesmen of the 'forties, and particularly by the dual sovereignty that permeates the American form of government. One of the essential principles, apparently, of the American Constitution is that the Federal Government cannot tax the agencies and instrumentalities of a State Government, nor a State Government tax the agencies and instrumentalities of the Federal Government. Congress, in other words, in spite of the adoption of the income-tax amendment, cannot, if I am rightly informed, tax incomes derived from investments in State or Municipal bonds, any more than a State could levy on the salary of a Federal officeholder; and I apprehend that it may prove a matter of considerable difficulty and delay to draw the exact line between the taxing prerogatives enjoyed by the two authorities. But the great thing, after all, is that the Federal Government should at last be in a position to adopt what is perhaps, or what can at any rate be made, as equitable a system of taxation as any that has yet been framed.

The justice and expediency of a tax on incomes have so long been admitted by all the leading nations of Europe that the theoretical arguments for it and against it have almost ceased to be discussed. The principle of an income tax is all but universally accepted throughout the Old World; it is only its application and its results that now concern economists. One would scarcely anywhere in Europe find a journal of position arguing, for instance, as more than one New York periodical has argued within the last few

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weeks, that taxes levied on income derived from industry are inequitable and oppressive, and disputing the old maxim that the burden of taxation should be distributed so as to bear most heavily on those best able to sustain it. But it may, perhaps, be useful, before taking up specific instances of the income tax in practice, to enumerate in general terms its advantages and disadvantages. It is claimed for it, then, that on the whole it is the fairest of all taxes; that a citizen's obligation to support the Government that protects him cannot be discharged more equitably than by making him contribute a certain portion of his net income; that the incidence of the tax automatically adjusts itself to the ups and downs of each individual's financial position; that it is the simplest thing in the world to graduate it so that it bears more hardly proportionately upon the rich than the poor; that it embraces persons and classes who would otherwise escape all direct taxation and thus stimulates a general interest in the efficiency and economical working of government; that its imposition, unlike most indirect taxes which are very largely taxes on consumption, does nothing to disturb prices; and that, while admittedly difficult to collect, it is eminently productive and places in the statesman's hands a potent instrument, if not of social justice, at least of social retribution. As against this, however, it is contended that to tax incomes is really to tax enterprise, industry, and energy, and to relieve the shiftless and the indolent, to mulct the honest and to let the dishonest escape scot-free; that the method of collecting it must to some extent be necessarily inquisitorial; that the ease with which the tax can be dodged invites to perjury and evasion—Gladstone, when he was meditating its total repeal, declared that it made a nation of liars; that it is essentially a piece of class legislation inasmuch as it presses very heavily on a few, less heavily on more, comparatively lightly on a still larger number, and not at all on the great bulk of the population; and finally, that it tends to drive capital abroad.

It is not difficult to bring these statements to the test of fact by reference to the case of Great Britain. The income tax was introduced into Great Britain by William Pitt in 1799 under the stress of the French war. It was abolished in 1816, when Waterloo had put an end to the pecuniary pressure, but Sir Robert Peel revived it in 1842 and Gladstone considerably extended it in 1853. From being a tempo-

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rary war tax it has now become a permanent part of the British financial system, and is resorted to by every Chancellor of the Exchequer who finds himself in difficulties. Pretty nearly every one who has resided in Great Britain for more than a year on end is brought within its scope. Whatever his nationality the odds are that he will find himself placed under Schedule D of the income-tax assessment, bombarded with official documents that have to be filled up and returned to the local surveyor of taxes within seven days, and threatened with a host of penalties if he assaults the collector or makes "an untrue return." Schedule D casts a wide net. It does not matter whether you are a British subject or not, whether you live in the United Kingdom or outside of it, whether your "trade, profession, employment, or vocation" is carried on in England or abroad. Your income may come from the United States and you yourself be an American citizen, but if you live in England Schedule D will get you. Or you may be a Frenchman living in France, but if your income is derived from any form of business carried on in Great Britain, Schedule D will still circumvent you. All that you can do is to take the fullest advantage of the various abatements and deductions that are permitted or else to juggle frankly with your conscience. Most Englishmen do both. It is only the immaculate minority that declares its full income. The average man confronted with the income-tax papers takes a modest, a depreciatory, even a pessimistic view of his profits and of the extent to which he feels justified in disclosing them. None the less Mr. Gladstone's dictum that the income tax had made a nation of liars stands in need of certain deductions that have no small weight with such a being as man in such a world as the present. In the first place, it is not considered a grave offense against morality to put one's income, for the purpose of tax assessment, at somewhat below its proper figure. It is like the smuggling of the returned American tourist, a sporting compromise with one's conscience that does not necessarily argue bad citizenship or an abnormal degree of immorality. There are a few people whose better self regains the upper hand when they quietly contemplate their crime and who make restitution to the Treasury. You frequently see in the London papers an acknowledgment from the Chancellor of the Exchequer of the receipt of such and such a sum from such and such

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a person, whose initials but not whose name are given, as "conscience money." But the mass of Englishmen wear their guilt in the matter like a flower, lightly and even jubilantly. And in the second place it must be remembered that the opportunities for a serious underestimate are not very great. There is one, not indeed infallible but tolerably accurate, test of a man's income—the house he lives in and the rent he pays for it. These two items are matters of public record and if a statement of income appeared to be in flagrant conflict with them, a hint from the local Surveyor of Taxes or a demand for the production of account-books would in most cases be enough to bring the two sets of figures into a more appropriate harmony. On the whole, therefore, I should not say that the exercises in mental and moral prestidigitation that accompany the filling up of the income-tax returns do any vital harm to the national character. From that standpoint Americans, I think, might risk it. After conniving for forty years at the monstrous frauds of the pension roll, and with their transcendent skill in ending the tax on personal property wherever it is imposed, my conviction is that they are amply barricaded against the contaminating influences of an income tax.

There is another point on which British experience is illuminating—I mean the alleged inquisitorial character of the tax. Once every year the British Government, taking stock of all the resources that may be drawn upon to build Dreadnoughts against Germany, to float a scheme of national insurance, to grant Home Rule to Ireland, and what not, lights upon my insignificant self and still more insignificant income as an asset that should be turned to account. It is the only occasion on which, as an average British subject, I am brought into direct contact with the national taxing authorities; and, frankly, I do not find that our annual momentary connection bears much resemblance to an inquisition. I am supplied by mail with the necessary papers; I fill them up and return them to the designated official; and there, nine years out of ten, the matter ends. I do not recall more than one or two instances in which I have been asked to explain how I arrived at a certain figure or in which I have felt impelled to protest against the assessment. The normal thing is for the Commissioners to accept my calculations and for me to accept theirs, and for the transaction to be concluded with a check for the amount

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due from me. I am by no means any more eager than my neighbors to pay taxes in any form and unquestionably there are times when a man of moderate income, like myself, finds that it involves a real inconvenience to meet this particular impost. But as a rational being one recognizes that the Government must have money and one is altogether at a loss to say in what way the wealth derived from property and investments can be so adequately, so regularly, and so equitably laid under contribution. An income tax is unpopular just as every other direct tax is unpopular, but mingling with and mitigating its unpopularity is the sense that on the whole it is a just tax. What, however—to return to the point I was dealing with—helps most of all to take the edge off popular resentment is that about three-fourths of the amount collected is not assessed directly on the ultimate payers, but at the source of origin. I own stock, let us say, in a railroad company. The income tax is assessed on and collected from the railroad company in one sum and the burden of it distributed among the stockholders in proportion to their holdings. My dividends, that is, reach me "less income tax." In this way evasion is made extremely difficult, the productivity of the tax is largely increased, and its incidence is deprived of that personal element and of that immediate contact between the individual and the tax-collecting agency which are largely responsible for the unpopularity of imposts. It is, in short, quite vital to remember, when considering the inquisitorial character of the income tax, that the great bulk of its proceeds are gathered indirectly, not from the taxpayer but from the companies in which he has invested his savings.

Moreover, one must bear in mind that a wise statesmanship is never unduly stringent in its methods of enforcing the payment of taxes. There are many kinds of income to which the system of assessment at the source cannot be applied at all, or can only be applied very imperfectly; as, for instance, the profits derived from a private business, the income derived from a profession, and certain descriptions of income derived from abroad. In these cases the British Government has to rely largely on self-assessment by the taxpayer, and it is here that scope is found for fraud and evasion. Either there is a deliberate under-statement of the profits in the return; or no return is sent in at all, either with the hope of escaping notice altogether or with

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the hope that, if an official assessment is made, it will be less than the real profit. "The evidence goes to show," reported a Parliamentary Committee that sat on the question some six or seven years ago, "that many people, who shrink from making a false statement, can yet reconcile it with their consciences to defraud their neighbors by mere passive neglect of their obligations." And besides all this there is also much avoidance of the tax due to ignorance, carelessness, or inability to understand and correctly fill up the forms. In this way there is no doubt a considerable annual loss to the revenue; but the authorities are for the most part content to put up with the loss rather than incur the unpopularity of adopting a rigorous procedure. The penalty for not making a return or for making an incorrect return is a fine not exceeding one hundred dollars and treble the duty properly chargeable. This is at once too slight a punishment for wilful evasion and too heavy a one for carelessness or ignorance. It is true that the Commissioners can, and often do, put pressure on the defaulters by making or raising an assessment whenever they have *prima facie* evidence that there is unsatisfied liability. But very often evidence is lacking; and the method of making a high assessment in the dark, as a means of compelling disclosure, is not altogether satisfactory and would be still more unsatisfactory if it were to be established as a general rule. Those, too, the whole of whose income is already taxed at the source, rarely take the trouble to make any return at all. It was estimated seven years ago that about a third of the forms sent out are put in the waste-paper basket; and the difficulty of discovering the cases of deliberate evasion is thus enormously increased. All these sources of leakage could be stopped. It might be made obligatory on every individual to fill up the forms under penalty of a small fine; the punishment for making incorrect returns might be increased; frauds might be publicly exposed; the revenue authorities might be given greater powers for levying a surcharge or supplementary assessment in cases of proved evasion; the whole machinery for detecting fraud might be improved. But Governments in a matter of this kind cannot advance an inch beyond public opinion; they are doubtful, as they well might be, whether "the man in the street" would support an energetic administration of an inevitably unpopular law; and they pre-

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fer, and I think very wisely prefer, to err on the side of mercy, to tolerate abuses rather than wage open war on them, to develop at the same time the efficiency of their system so that misdemeanors may be headed off one by one and without any overt scandal, and to avoid anything that would stir up the public mind against the tax itself.

The income tax at present levied in Great Britain stands at 1*s* 2*d* in the pound, or a fraction over five per cent. The sources of income on which the tax is levied are divided into five schedules. Schedule A includes income derived from the ownership of lands and houses; Schedule B from the occupation of lands; Schedule C from British, Indian, Colonial and Foreign Government securities; Schedule D from business concerns, private employments, professions, and investments in railways and industrial enterprises; and Schedule E from the salaries of Government, municipal, and company officials. Of these schedules the fourth—Schedule D—is by far the most important, being responsible for well over half the gross amount of revenue brought under review. It is the Schedule which most closely concerns the average man who is not a landowner or a house-owner, or a public official and who has little money invested in Government securities but who carries on a business or profession, receives a salary, and puts his savings into railway and industrial companies. Let us see how he stands under it. First of all, if his income from all sources does not exceed $800 per annum he pays no tax at all. If it is between $800 and $2,000 he is entitled to an abatement of $800; if between $2,000 and $2,500 to an abatement of $750; if between $2,500 and $3,000 to an abatement of $600; and if between $3,000 and $3,500 to an abatement of $350. Furthermore if his total income is less than $10,000 a year he pays only ninepence in the pound (about three and one-half cents in the dollar) on that portion of it which is earned income; and if it is between $10,000 and $15,000 a year he pays only one shilling in the pound (five cents in the dollar) on that portion of it which is earned. The full rate of one shilling and two pence in the pound (all but six cents in the dollar) only begins to apply when the income exceeds $15,000 per annum. But when the income exceeds $25,000 a year a supertax of twelve cents is levied on every five dollars of income over and above $15,000. The features in the British system that are most worthy of note by Ameri-

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cans at the present juncture are therefore (1) the total exemption of small incomes; (2) the abatements allowed on moderate incomes; (3) the distinction drawn between earned and unearned income; (4) the progressive and graduated character of the tax; and (5) the supertax on the large incomes.

The first thing that an Englishman has to do when grappling with Schedule D is to calculate his "income," and for this purpose he must remember that his wife's income is deemed to be his own. The way in which he is directed to proceed with his calculations is simple and fairly equitable. He begins by striking an average of the profits of the three past years arising from his "trade, profession, employment, or vocation." From this he is entitled to make deductions (1) for the repairs of premises occupied for the purpose of trade and manufacture and for the supply or repair of implements, articles, or utensils employed; (2) for debts proved to be bad and for doubtful debts at their estimated value; (3) for the rent of premises that are used solely as a place of business; (4) for two-thirds of the rent of any dwelling-house which is partly used for the purposes of business; (5) for wear and tear of machinery and plant; (6) for life-insurance premiums paid on the claimant's own life or on that of his wife, so long as the amount so paid does not exceed one-sixth of the net income from all sources; (7) for a reduction of £10 on account of each child of under sixteen if the total income is less than $2,500 a year; and (8) for "any other disbursements or expenses wholly and exclusively laid out for the purposes of the trade, etc." On the other hand, no deductions are allowed for any interest on capital, or for sums paid as salaries to partners, or for sums invested or employed as capital in the trade or business, or for sums expended on improving the premises or written off for depreciation of land, buildings, or leases, or for any loss not connected with or arising out of the trade, or recoverable under an insurance or contract of indemnity, or for any sum expended on domestic and private purposes. It will thus be seen that in Great Britain the income tax might much more fairly and intelligibly be described as a tax on profits and on profits ascertained by a three years' average, and that in ascertaining this figure there are substantial deductions to be made. If, for instance, you are a doctor and receive patients at home, you

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may deduct two-thirds of the rent of your house, the whole of the rent of an outside office, the salaries of your assistants and locum-tenens, the cost of drugs, medical books, and instruments, and, I should say—though the Commissioners might dispute it—the keep or hire of your brougham or motor-car.

A few more words may be added to bring out various aspects and details of the British system. Thus it is interesting to note that the assessment of the tax on real estate is based on rental or rentable value, with deductions allowed for repairs, improvements, and other outlays of one-sixth on houses and buildings and one-eighth on land. The tax is collected from the tenant of the property, whether occupier or owner. I am myself, for instance, the tenant of the house in which I live and simultaneously with the income tax I am yearly levied on for a Property Tax and an Inhabited House Duty. The latter comes out of my own pocket; but the former I am entitled, after paying it, to deduct from the next quarter's rent due to the landlord. So far as government and municipal securities are concerned the procedure is equally simple, the bankers or agents being compelled to deduct the income tax before issuing the dividend warrants. Very much the same method applies also to railroads and industrial corporations carrying on business within the United Kingdom, except that the income-tax assessment is levied on the full profits of the undertaking, after a reasonable allowance for managerial expenses and depreciation, but irrespective of the amounts actually declared and distributed in the form of dividends. As it must frequently happen that the dividends from which the income tax has thus been deducted go to persons whose total income exempts them from all payment of the tax, the Inland Revenue authorities are constantly obliged to refund the moneys they have collected—to the extent of some $15,000,000 a year; and the business of advising and prosecuting such claims against the Treasury has grown into quite an extensive branch of commercial enterprise. One occasionally hears in Great Britain of economists advocating an almost universal income tax, to be levied on all wage-earners in receipt of over six or seven dollars a week and to be deducted from the pay-roll by the employer. But though undoubtedly something might be said for such a suggestion, it is quite obviously not within the sphere

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of practical politics; and speaking generally, there is no decided movement of opinion in favor either of lowering or increasing the present limit of exemption which stands at $800 a year. The super-tax on incomes of over $25,000 is much more closely representative of the present trend of democratic politics, and in Great Britain, where it is a comparative novelty, it already produces over $15,000,000 a year. It cannot, however, be indefinitely extended except at the risk, which even now is an apparent risk, of driving capital abroad. This is not altogether the disastrous development it appears to be, because the more British capital is invested abroad, the better on the whole for the industrial prosperity and expansion of the kingdom. But from the standpoint of the Treasury it is open to the objection that an Englishman who invests his surplus in a foreign country, and allows his bankers or agents in that country to reinvest his dividends for him, escapes altogether the operation of the income tax. This is a tendency which the super-tax on big incomes seems likely to emphasize. It is, at any rate, rather too soon to be quite certain that a high rate of assessment on the millionaire may not defeat its own object by inducing him to remove his capital beyond British jurisdiction. For the rest, it is worth noting that of the $220,000,000 now raised by the income tax some $50,000,000 comes from incomes derived from the ownership of lands and houses, about $15,000,000 from home and foreign Government securities, and some $130,000,000 from business, professions, and ordinary investments; and that each penny of the tax brings into the Treasury nearly $15,000,000.

I have no means of knowing whether the American Democrats who clearly intend to try their hands at framing an income-tax law have studied the complexities of the subject, or have grounded themselves in the various problems of abatement, exemption, and graduation, or cherish the hope of wiping all such problems out of existence by simply levying a bold percentage on all incomes of over $5,000 a year. But whatever they decide to do they will probably find that one or other of the countries of Europe has been before them. There are as many theories and practices, one might almost say, in regard to the income tax as there are nations. In the German and Swiss confederations the income tax while levied by the separate States, forms part of the national sources of revenue. In Prussia it affects the whole in-

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come of the taxpayer; elsewhere it is designed either to supplement existing taxes or to fall only on certain forms of income which otherwise would go free; in Austria it is a personal tax superimposed on six other taxes; in Bavaria it leaves untouched incomes already reached by other taxes on, for instance, land and industry; while in Spain and Italy it affects personalty only. The diversity in regard to the methods of graduation is equally great. In the German group, speaking broadly, the taxpayers are arranged in a number of categories, usually well over one hundred, according to the amount of income returned by or ascribed to them, and a definite sum of money is fixed as the tax in each category. In other States the categories are few in number and each one of them is taxed at a certain percentage rate which rises proportionately within the category and progressively at a few specified points; while in others the scale of progression is based upon, or combined with, the partial exemption of income from taxation. Practically all the States of Europe adopt some limit of exemption, but in every case it is lower than the British limit. In Saxe-Altenburg, for instance, it stands at $15, in Switzerland it varies in different cantons from $20 to $240; in Prussia it is $225 and in Saxony $100. Exemptions of a special character also obtain—municipal and charitable institutions, for instance, naval and military men, domestic servants, heads of families with children to support, or even, as in the canton of Fribourg, " agriculturists, printers, engravers, sculptors, and midwives "; and abatements are also allowed for continuous illness, debts, or special misfortune. Prussia with a rate of .67 per cent. on $225 rising to 4 per cent. on $25,000; Saxony with a rate of .25 per cent. on $100 rising to 5 per cent. on $25,000 and over; Austria with a rate of .6 per cent. on $260 rising to 4 per cent. on $20,000; Sweden with a rate of .2 per cent. on $275 and a maximum of 4 per cent. on $40,000; and Denmark with a minimum rate of 1.3 per cent. on $195 and a maximum of 2½ per cent. on $27,500 and over—may all be quoted as examples that depart widely from the British system. If one were to go deeper into the matter and to note the innumerable ways in which the income tax is differentiated—in which, that is to say, a different rate is levied on different kinds of income—and in which " unearned " income is taxed at a higher rate than " earned " income, this article, without touching at all on

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the intricacies of assessment and collection, would be well on the way to becoming a volume. Enough, however, has already been said to show the complexity and the fascination of the task on which the Democrats are now free to embark and the urgent need, if European experience goes for anything, of their approaching it with circumspection and a clear idea of what it exactly is that they want to achieve.

SYDNEY BROOKS.

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WHAT IS SOCIALISM?

BY A. MAURICE LOW

IV

SOME REASONS FOR THE PRESENT DISCONTENT

PROBABLY never in the history of the world has there been such universal discontent as now exists. There has certainly been no period in American history when there was such general dissatisfaction with conditions; and there has certainly never been a time since the first settler came to America when the great majority of the people were so well off as they are to-day. Among the hundred millions that go to make up our population there is practically little suffering; starvation, or that perilously close approach to the border line between starvation and the barest subsistence, which is the terror of the lowest classes of all European countries, is unknown to us. Every man willing to work can find work at a remunerative wage, according to his capacity and skill; even the unskilled earns enough to enable him to live in a reasonable amount of comfort and to be well fed and decently clothed; the mechanic, whose trade requires special training or intelligence, is, some people believe, extravagantly paid. His earnings are sufficient to enable him to live very well indeed, to have a comfortable home, to bring up his children properly, to give them good clothing and good food and a solid education, and, in addition, to save something for the proverbial rainy day. Unskilled labor, skilled labor, the trades, and the professions are all better remunerated now than they have ever been, and money brings more. We have heard a great deal, too much in fact, about the high cost of living, yet the truth is we get more for our money than we used to, we live better, we enjoy more comfort and greater luxury than ever before. Things that we take as a matter of course and regard as necessities—and are properly to be regarded as necessary for health and comfort—were unknown a few gen-

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erations ago. The working-man instead of living in an unsanitary tenement now has proper ventilation, electric lights, running water, hygienic plumbing. Instead of having to walk long distances to and from his work in all weather, drenched and frozen in winter, sweltering in summer, for a few cents he rides in a comfortable, swift-moving car. As with the working-man so with all other classes. Life has been made easier for all of us. And yet no one is satisfied. Not only is no one satisfied but, speaking generally and yet narrowly enough to be exact, nearly every one is discontented. Every one is in a restless, irritated frame of mind. Every one is in rebellion against himself and society. Every one wants something better. Every one finds fault with existing conditions. Every one knows that conditions ought to be different, but no one has a remedy. One man lays the blame on the trusts, another on the tariff, a third on the dishonesty of politicians. This man puts his finger on a weak spot; it is the enormous fortunes that a few of the more fortunate or more unscrupulous have been permitted to amass. That man knows it is the concentration of wealth in the hands of the favored that has brought about conditions which are intolerable. Every man has his own theory and his own remedy, but no two men can agree either on the cause or on the method to be employed to correct it.

It will be recalled what Burke said about a corresponding mental condition of his own people:

> "This state of things is the more extraordinary because no great external calamity has visited the nation; no pestilence or famine. We do not labor at present under any scheme of taxation new or oppressive in the quantity or in the mode. Nor are we engaged in an unsuccessful war; in which our misfortunes might easily pervert our judgment; and our minds, sore from the loss of national glory, might feel every blow of fortune as a crime in government."

The American people, similar to the English of more than a century ago, are at peace with all the world; it is only with themselves that they are at war. Sickness has not visited them nor hunger vexed them. Taxation does not press too heavily, although all taxation is objectionable, but then so is death, and the one can no more be avoided than the other. "Let us only suffer one person to tell us his story, morning and evening but for one twelvemonth, and he will become our master." We have unfortunately listened too long to the same story.

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The world has worked itself into a curious mental condition, for I am convinced that the source of all our present discontent may be traced to an overcharged intellectual state. The world used to have hope, to have courage in the future, to believe in goodness; now it has only despair, it sees no future, and all is bad. It has lost its stoicism and gained no philosophy; it has lost its ignorance and gained no real knowledge. In place of idealism it has embraced materialism, and it finds the fruits of endeavor bitterness. Man is suffering from a too highly stimulated brain, not from too much knowledge, but from the little knowledge that is always dangerous. For generations man had been intellectually starved, he was avid for knowledge and a passion developed for cramming brains unfitted for their burden. No man is really educated who cannot think for himself. Pedagogues, ministers of education, teachers, principals, doctrinaires were swept away by the fallacious idea that if you put an uncorrelated jumble of facts in the heads of children and young men and young women they were educated and became more useful and more valuable citizens, ignoring the great principle that a fact is worth knowing only when the law of its creation is known, and that no educational scheme is worth the paper on which it is drafted unless it compels the exercise of the reasoning faculties. We have carried our intense passion for education to such absurd lengths that our public-school children are half baked. They are spoiled for being honest workmen and unfitted for being something better. I am not using that adjective in any snobbish sense or meaning that a workingman is not the equal of any other. God forbid that a believer in democracy should be guilty of any such heretical doctrine!

Nor am I decrying universal education. I believe in it. I believe that the more highly the masses are educated the better it is for the world at large, but it must be education of the right sort, and education in the true sense. The real function of education, I repeat, is not to teach children to remember the date of a battle, for instance, but to teach them to know the significance of that battle; not to throw them a fact as an intellectual meal as we throw a bone to a dog to worry over, but to teach them to pull that fact to pieces and find out what it is made of and what relation it bears to other things. The result of our educational sys-

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tem superimposed upon our social system is that the son of a bricklayer is no longer content to be a bricklayer, but must be something better, something that lifts him a bit forward on the road to being a "gentleman." Here again I am not opposing what is a perfectly proper ambition. It is the duty of every man to try to improve his condition and to advance himself, but the bricklayer's son after he has left the public school is still a bricklayer in everything except the ability to do an honest job of bricklaying. That, of course, is a shocking thing to say in a democracy, yet the fact remains despite theory. The average boy, the son of a bricklayer, is not capable of climbing very high, but he has a sufficient smattering of education to feel that he is a better man than his father and entitled to better things, and because he fails he becomes one of the discontented. His education has taught him to read, yes, but to read what? The newspapers with stories of crime and scandal in high life and the extravagance of the rich; the popular weekly and monthly magazines, with their pictures of "stage favorites" as near nudity as a lax censorship permits, their flimsy fiction whose tepid passion is just passionate enough to excite the imagination of crude youth; whose "moral lesson" is preached by proclaiming—usually untruthfully—the dishonesty of business and the corruption of politics—this is what the bricklayer's son reads after he has been educated in the public schools. He reads, and every page he reads makes him more dissatisfied, more convinced that he is a victim, more certain that if he were given a fair show he would have countless pairs of trousers and neckties, which his favorite journal described in much detail as the possessions of the latest recruit to reach fame through the dazzle of the dubious pleasures of his sort, instead of the one suit and the one necktie that make up his wardrobe; and his scarcity of clothes is one of the reasons for his discontent.

This then is one of the effects of our universal education. Having been hungry man is now sated, but he is overgorged, and instead of having been quickened by education it has clogged him. It has made him just clever enough to know, but not clever enough to understand. He can take in much, but he is able to give out very little; and knowledge that is hoarded is as valuable to mankind as the miser's secreted coin. Our educated masses do not hoard their

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knowledge because it is too precious to be parted with but because they are incapable of diffusing it. Knowledge to be of any value must be a man's possession first, and then by him given away so that it may be the possession of all men. The sciolists who are turned out by the public schools and have made millionaires of the proprietors of yellow journals and "family" newspapers and popular magazines are the fruitful ground in which the crop of discontent thrives, but it is thistles that the soil brings forth and not figs.

Yet, curiously enough, the greatest discontent now existing is not among the working-class, but is to be found in a class higher in the social scale, which for the sake of convenience may be called the middle class, that great human stratum which lies between the working-man and the prosperous and very rich; the great body of salaried men. I do not believe this is generally recognized; in fact, I think the statement will come as a surprise to the reader, yet I am convinced of the truth of my assertion, which is made only after a careful investigation begun to ascertain the causes of the present discontent. I suppose similar to most persons who have given the matter any thought the writer believed that it was the working-man who formed the great element of discontent, who was the source of agitation, and who by giving heed to the demagogue made it possible for him to continue his profitable trade of arousing class hatred and keeping alive the belief in injustice. While the artisan and the mechanic are in a dissatisfied and resentful mood they are less angry than the class above them, for the working-man never has the hope that the other has, and it is this disappointment that has resulted in so much bitterness.

The salaried man, whether he be clerk, salesman, bookkeeper, drummer, buyer, begins life with some education and a certain superficial polish, and he must have these qualifications to retain his place. It is not always easy to classify him socially. He is not a working-man, although his father may be a working-man earning his daily wages by laying bricks or using a mallet and chisel; he may have been born in the class of which he is now a member by occupation or he may have worked into it, but he is always entitled to the courtesy title of "Mister," which marks the distinction between the working class and the middle class. He begins life with ambitions and high hopes. Suppose him to be a salesman for a large wholesale house, the "drum-

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mer" as he is popularly known. Salesmen he knows have made themselves so valuable to their employers that they have been admitted to partnership, why may he not hope for equal good fortune? It is more than hope; he has the feeling of certainty that his industry, his fidelity, his ability will be rewarded, and that his partnership is ahead of him. He is twenty-five years of age, at thirty-five perhaps, at forty surely, he will have arrived.

No man feels the weight of life as long as he is climbing upward; it is only when he is beginning to go down that life drags its chain. At twenty-five years of age courage is unbounded and ambition is limitless and hope is the motive power to fresh endeavor, and life smiles. At twenty-five a man may have achieved success, but he cannot have made a failure. At twenty-five a man looks at life as a sum in geometrical progression. If after having worked seven years, say, and in that time having had his salary advanced until now at twenty-five he is making so much, at the same rate of progression—and of course, he argues, he will be more valuable during his second seven years than he was during the first—at thirty-two, then, he will be making so much plus; really not bad for a fellow of his age with something bigger still ahead. It is when he reaches his thirty-second year and finds that the progression has been arithmetical—and he is in rare luck if there has been progression of any consequence—that he feels the chain tightening and hope sings less blithely. But the average man—and of course one deals with the average, not the extraordinarily brilliant in his particular line or the extraordinarily stupid, or the dishonest, or indifferent, but the man who is conscientiously trying to do his best and is encouraged to believe that fidelity and intelligence will be rewarded—this man in youth is an optimist. He always cuts his garment to suit his cloth. So superb are the hope and confidence of youth that petty economies neither embitter him nor are a hardship; they are simply looked upon as temporary inconveniences. If the house is small, then he is quite sure that next year, or at least the year after, he will be living in a better house. Must his wife dress plainly, the time will soon come when he can give her what he knows is hers by right. The novelty of life, the zest with which he enters into it, the joy that can be got from small things because they have not yet become common enough to pall, more than

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compensate for the absence of those things that later will be missed.

At thirty-five life is very different from twenty-five. At thirty-five a man wants more and sees less chance of getting what he wants and the things he ought to have. It is not the high cost of living in those ten years that makes his income smaller and procures him less; it is that his burden is greater. A small child can be made happy with a stick of candy or with a toy that costs a few cents, but a growing boy scorns the penny stick of candy and turns his back on the trumpery toy. The man at twenty-five is like the child who can get enjoyment out of very little, but at thirty-five he is more sophisticated, and knowledge has to be paid for. At twenty-five his son is " baby " and is no appreciable financial burden; ten or twelve year old Jack, who is kicking his shoes out at a lively rate, is a distinct charge; so is his sister Mary, so is her younger brother George. They have to be clothed and fed and doctored, their education is now a problem to be considered. The decent father wants his children to be " better " than he was, to have the advantages which perhaps he was denied. The public school is very good; still the private school is better, and Jack is smart and will make a successful lawyer or doctor or electrical engineer if he is given his chance, and that means college and the university. The father is now forced to admit to himself that there is small hope of his being able to give his children money, but he can give them a fair start in life, and the rest is with them. So he makes sacrifices, denies himself and saves, wears the old suit or last year's straw hat, that Jack may have his education.

The drummer who at twenty-five saw his partnership and an assured future ten years away, at thirty-five is rather worse off than he was earlier. But no man despairs at thirty-five. Hope, the first gift of the gods to man, which lives after passion is dead, has not deserted him, and forty is youth, and life still calls. He sees forty, forty-five, and fifty, and now comes the grand climacteric. At fifty he no longer has illusions. Whatever chances he might have had in youth have gone, partner he can never expect to be, a salaried man he may remain, but every year his tenure becomes more precarious. Competition is keener, pressure greater; youngsters are pushing to the front; gray hairs are no recommendation. The alert, audacious, ingenious, smooth-

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cheeked boy—" the live wire "—is a great deal more valuable than his senior who, it must be honestly admitted, has grown a bit stale and has fallen into a rut, to whom fatigue comes easier, and who is less enthusiastic over " booking " a large order than when he was on his mettle determined to show his seniors how easily they could be beaten at their own game.

At fifty or fifty-five what is there for the average salaried man? Tragic as it is to make the admission, if we are honest we cannot deny that he lives in fear. Prudent and economical although he has been his salary has never enabled him to save; by rigid self-denial, often by foregoing actual necessities, he has managed to keep up a few thousand dollars of life insurance so that his wife shall not be absolutely penniless at his death. But that is the extent of his saving. If he should lose his place, in a few weeks he would be a pauper; his furniture and his clothes are all that he has to show for his life's work. And that fear is a fear that never leaves him. It is not imaginary; it is very real. As I have already shown, his age instead of being in his favor is now against him; he can hope for no increase in salary; he is indeed thankful if it is not reduced. Against what we may call the natural fate of the salaried man he is powerless, but there are artificial causes always to be dreaded. The death of a partner brings a new element into the firm, a younger and more vigorous element that inaugurates the new régime by cutting out the dead wood, that is not necessarily brutal but is always business, and judges men by the ledger balances of their customers. Or a firm goes out of business or is merged with another, or the corporation is reorganized and a new sales manager is appointed, or a board of directors demands larger returns, or times are hard and money can be saved by employing a cheaper man. The salaried man of fifty who loses his job is hard pushed to find another; rarely indeed does he find another. Youth is in the saddle and age must take his dust.

There are certain men who never can lose hope because the nature of their occupations is a gamble and so long as they play there is always a chance to draw a great prize, but the salaried man is not of them. At fifty or sixty the inventor may make his great invention; the scientist may at sixty make the discovery for which he has been groping for the last thirty years or may blunder on it by accident;

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the writer, whose life has been a failure, or at best only a moderate success, may come into his own at an age when it might be imagined his powers were exhausted; opportunity may bring fame to the mediocre politician, but for the salaried man there is no opportunity.

Apart from the fear he has of finding himself without occupation and unable to earn enough to support himself and his wife and those of his children who are not yet self-sustaining, the monotony and hardship of the salaried man's life make him bitter and discontented. If he is a drummer he spends the best part of his time on the road and sees little of his wife and children; if he is a clerk or a salesman in a large city he lives in the suburbs and is a commuter, he leaves home early in the morning and returns late at night, usually too tired to care to go out again after he has had his evening meal, too poor to be able to spend money on the theaters and other amusements even if he had the inclination, and the inclination must be stifled because it means a tiresome journey by train or trolley, which adds to the expense and brings him back home at an hour that curtails his sleep and sends him forth the next morning ill fitted for the day's work. He seldom if ever is a member of a club. His social acquaintances are limited. His evenings are generally spent reading the newspapers and the popular magazines, chiefly those that make a specialty of the corruption of politicians and " big business " and the extravagance and wickedness of the rich. Like the working-man and the office-boy, he is influenced by what he reads, so that his reading tends only to increase his conviction that he is a victim, that he has been exploited by his employer, and that if justice were done him instead of living from day to day in fear of the future he could face the future with serenity. The position of the salaried man is really worse than that of the working-man when you compare the two. He works on an average ten hours a day as against the working-man's eight; frequently he has to work overtime, but he gets no overtime pay; his salary is not much larger than a working-man's wages, yet he is required to maintain a higher standard of living; the working-man always has his club, for he may without loss of caste join his fellows in a friendly glass at a convenient saloon, but the salaried man who should drink at a bar would soon find himself in his employer's blackbooks.

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It is among salaried men—to distinguish a class from the wage-earning working-man—that the greatest discontent exists at the present time, and that is the most disturbing feature of the social unrest. For the members of the salaried class are good fathers and husbands, the bulwark of respectable society, the great majority leading sober, useful lives, trying to do their duty faithfully, rendering valuable services to society, the support of the church, who give to charity within their means, and who naturally ought to be the most conservative element of the body politic; for the middle-class, salaried man is by temperament as well as by association, by his environment and the nature of his occupation, more vitally concerned in the preservation of the *status quo* than any other class. In all countries conservatism is more deeply rooted in the middle class than at either end of the social scale. The working-man can easily be made to believe that he has little to lose by change and that any change is always to his advantage, so that it is not difficult to persuade him to give encouragement to radicalism. The man who is his own master, the speculator, the empire-builder, the captain of industry, is popularly supposed to be conservative, yet, as a matter of fact, his success is due to his ability to turn every new condition to his profit, so that he becomes conservative only after he has made his fortune, but not during the time that his fortune is in the process of making. It is the salaried man who supports the muck-raking weekly and monthly magazines and who has yielded to their demoralizing influence, who has suffered the same person to tell his story morning and evening for a twelvemonth and has become the slave of discontent. It is not the working-men who in any considerable numbers buy and read the muck-raking magazines; they, it is true, read their newspapers, which do equally as much harm as the more pretentious magazines, but the latter would quickly seek the haven of the bankruptcy court were it not for that huge middle class from which to draw; who subscribe to this literature because it chimes in with their mood. It irritates and soothes them to be told that the cost of living is high and the corruption of politics is responsible, it justifies them in being discontented when the reason for their discontent is so concretely stated.

Is there a remedy for the plight of the middle-class man?

A. Maurice Low.

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NEW BOOKS REVIEWED

EPOCHS OF CHINESE AND JAPANESE ART. AN OUTLINE HISTORY OF EAST ASIATIC DESIGN. By ERNEST FRANCISCO FENELLOSA. New York: Frederick A. Stokes Company, 1912.

THE death of Ernest Fenellosa five years ago was an irremediable loss. Not only was he a teacher by divine right, stimulating and illuminating both, not only a man of great charm and persuasive grace, so that listening to him it was impossible to withhold conviction, but he was furthermore an instrument fashioned with curious exactitude for interpreting the East to the West. Of mingled race, Spain and New England ran together in his blood and gave him the keen, dry passion, the impulse to take sides, the necessity to enforce and convert, no matter what the issue. After the highest honors at Harvard and experience of the Divinity School and the Art Museum in Boston, he studied, in Japan, Buddhism under an archbishop of the esoteric sect, and Japanese painting under Kano Tomonoke, the last of the great line of Kano painters; and, to crown all, he served on the Imperial commission which examined and catalogued all the treasures of Japan, all the great works of Japanese and the greater works of Chinese artists laid up in temples and private collections, not, perhaps, to be unrolled or unwrapped again for a generation or two. With everything to make him feel, he had every opportunity to know. The great work he should have written was already drafted when he died, and has been faithfully and piously made available by Mrs. Fenellosa. At last it is accessible. To those who never heard him speak it will seem infinitely rich and suggestive—impossible to read continuously because it is so packed with substance and so charged with ideas that send the mind very far, voyaging through the strange seas of thought alone, before the eyes come back to the page. But to those who remember his discourse it will seem chill and fragmentary and impoverished. So strong is personality.

There are a few things to regret besides the loss of the living man, and they may as well be dismissed at the outset. It is natural, it is inevitable, that Mr. Fenellosa should have preferred to name the great Chinese painters as all his Japanese friends named them—but it was hardly fair to his Western readers. The time has come for Europeans to study the supreme art of China directly, through documents, through paintings, and not take all at hearsay from an English-speaking Japanese. Europeans will no more consent to know Wu Tao Tzu and Li Lung Mien through the transliterations of Japanese than they will take Homer and Euripides from a modern Greek bootblack's reading; nor call Livy, *Tite Live,* or a late pope *Pie Neuf,* because some very clever contemporaries of ours on the Continent do so. The consequence is a real difficulty in correlating

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this work, of infinite worth, with what else of worth has been written in English and French. Back of this and bound up with it, as like effects of a single cause—Mr. Fenellosa's impassioned loyalty toward Japan—lies an unfortunate attitude of real injustice toward Chinese thought, an ungraceful insistence on dislike to Confucius and all his works, and a deplorable violence of utterance in speaking of modern China. Spain and New England have bred a great partisan, and if he is not always fair, at least he is always clever. Nobody ever claimed for the Japanese originality of thought or religiosity of temper—this is how he puts it: "Japan had never been rich in original philosophers who can devise great speculating systems or found new fanatical religions." Could Loyola himself show better the art of disparaging what you cannot possess?

But fault-finding is brief as it is perfunctory, and the delight of the book is inexhaustible. Its avowed purpose is never forgotten—to study the abstract qualities of pattern and space-composition, and *notan,* or "spotting"—the cunning distribution of dark and light. The parallels with Western art, both old and new, are particularly rich; they shed much light and range very wide. "As a purely artistic school of impressionism adapted to great mural decoration, future critics will doubtless place it [Korin's School] ahead of everything that the world has ever produced. Greek, Florentine, even Venetian wall-painting, however gorgeous, is just a bit too tangible, just a bit too much like colored sculpture. Magnificent decorations of line and color, which only soak up as much of natural suggestions as they care to hold, here show for the first time what the art of the future must become. Even Besnard is too conscious of being a negative pole to nature, a kind of bravura defiance of realism. Koyetsu is both as naïve, as positive, as sumptuous, as Shakespeare. Perhaps Whistler if he could have had opportunity to work along the mural line would also have worked in that sphere. As for Hangchow, it lacks the full orchestration of color; it is great church music." In this sort of thing it is fatally easy to write nonsense, but no nonsense is here, rather soundest sense. After reading this you have several clear and distinct impressions about both Koyetsu and the art of Hangchow.

The earliest art of China is full of Pacific forms, the same that reappear in New Zealand and Mexico and Alaska. Under the Han dynasty Chinese commerce penetrated not only to the highlands of Baktria, but to the Mesopotamian plain, whence came in Persian and Greek and Assyrian influences. In fact, the Chinese just missed getting to Rome a century before Christ because they were blocked by the Parthians, as later they just missed getting there again because they were blocked by the Arabs. Buddhism came early from India, and with a second Buddhist influx a few centuries afterward came waves of that mysterious Greco-Buddhist art of which we know and shall always know so little except the beauty. From the great age of Tang, that touched a golden moment under the Emperor Hsuan Tsung (713 A.D.), have come down perhaps directly, certainly through magnificent Sung copes, the solemn landscape of Wung Wei; the grand mystical male Kwannon of Yen Li-Pen, seated; the lovelier descending Kwannon of Wu Tao Tzu. Examples of both these last are in the collection of Mr. Freer and will ultimately come to the nation, along with the original of what is perhaps the most glorious and troubling picture in the book—the "historical Buddha" by

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Wu Tao Tzu. But of Northern Sung and Southern Sung and the immeasurable spiritual distance between the two, of the strange sheltered life of conscious beauty and mystical passion that flowered at Hangchow, of the migration northward again into austerer air and more intellectual ideals, of the delicate, corrupt, declining grace of Ming—and of all the splendid art of Japan, from the rude horses on clay chafing-dishes found in shell-heaps to the Monkey-bridge of Hiroshige, there is no space to speak here. The story is written out full with many more matters in these two volumes, and set through with pictures admirably chosen and exquisitely reproduced. For many a year, probably for more than one generation, this will be the one book indispensable for compactness, breadth, personal knowledge of the paintings, and critical estimation and interpretation by an artist, a poet, and a religious soul.

CARDINAL MANNING. THE DECAY OF IDEALISM IN FRANCE. THE INSTITUTE OF FRANCE. Three essays by JOHN EDWARD COURTENAY BODLEY. New York: Longmans, Green & Co., 1912.

The three essays contained in this goodly volume are interesting not only because they are able, instructive, and rarely well written, but because they contain, over and above the matter of the essays, the personality of the writer. Personality to-day is almost as absent from literature as is idealism, according to Mr. Bodley, from France. To let the self shine through, to betray between the lines of one's writing a temperament, an individual history, a philosophy of life, is to cram one's book with double measure of interest, and that is what is done here.

Mr. Bodley had undertaken an exhaustive work on France, the country in which he had spent the twenty-two last years of his life. The work was interrupted by dreary wastes of ill-health, and the two essays in this volume may be the only portions of the work given to the public.

For the essay on Manning, Mr. Bodley was fitted by a long and intimate acquaintance, dating from the author's first year at Oxford and lasting till the death of the Cardinal. To the average reader of character, Manning is not a pleasant figure. He was subtle and successful. He was never known to espouse an unpopular cause or to stand by any brother laid under suspicion of new or original thinking. His attitude toward Cardinal Newman, which was definitely an asset to Manning during his lifetime, has been a reproach to him ever since his death. His complaint is pathetic but a little contemptible to the author that one of the bishops had spoken of him as "a good young man, but a forward piece," while the old Cardinal in whom the phrase long rankled counted upon his fingers: "I had been captain of the Harrow eleven; I had got my first at Balliol; I was the leader in debate at the Oxford Union; I had been a fellow of Merton and Archdeacon of Chichester—and all they could say of me was that I was a 'forward piece.'"

Mr. Bodley feels that Manning's distrustful and unkindly attitude toward Newman was wholly excusable. "The history of the Christian Church would have been meager but for the quarrels of persons of apostolic temperament," he writes, feeling that history is made up of misfortunes, clashing, and war. Mr. Bodley says the inherent antagonism between the two men whose external history offered so many parallels

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was due primarily to the natural conflict of an objective and subjective mind. According to Mr. Bodley, Newman was unwholesomely centered upon his own soul, while Manning was interested in converting England to Romanism. From an outsider's point of view the difference would seem more nearly to be that Newman was by nature spiritual, preoccupied with supermundane thoughts and feelings, while Manning was born, bred, and lived a man of the world. Not even the standing of his church in England quite divorced him from worldly ambitions and pretensions, as witness the importance put upon Manning's precedence on the Queen's sign-manual of the Royal Commission on the Housing of the Working Classes.

Mr. Bodley has many little spurts of vivacious temper and malice at the Cardinal whom he did not love. "It would perhaps be an exaggeration to say," he writes, "that Newman's conception of heaven was a beatific Oxford Common-room, where he elected the members and also chose the wines—as he did at Oriel—which in that sphere would symbolize the cordial virtues of friendship."

Of Manning, the essayist says: "He was the only good man I have known intimately—though one or two others have crossed my path whom I suspected of goodness—and I have known one or two good women." This is one of the little bursts of personal confidence that give the book an added value and endear the writer to his audience.

He is not always as kind to women as in this paragraph, being doubtless one of that class of mental invalids who is willing to grant virtue but not intelligence to the weaker sex. In his essay on the "Decay of Idealism" he disclaims any intention of flying "with abstractions three hundred feet above the level of facts." "An excursion in those arduous regions," he says, "is an easy and ordinary incident in the life of that inquiring sex which in this country crowds the courses of M. Bergson—just as the honorable women of decadent Greece, in the rich cities of Macedonia, deserting the Thracian Bacchus and the gods of the neighboring Olympus, were the most eager disciples of the traveling professor of Tarsus.

Mr. Bodley's thesis in the second essay is that throughout the world, but especially in France, there has been a complete victory of the concrete and the practical to the utter destruction of the abstract and the ideal. Iron and steel works have conquered university culture, and a mechanical age has mastered and annihilated the supremacy of intellect. In 1881 he thinks there was still a remnant of idealism gasping in France, and altruistic virtues laid some restraint upon man's desire to "arrive." The *arrivistes* are no longer confined to the Hebrew race. "Arriving" has become a cosmopolitan habit, and has spread ruthlessly and unabashed over the world. That there must some day be a reaction, a new birth of delicate scruples, and a new fervor toward ideals, all cultured people join with the author in hoping.

A Wanderer in Florence. By E. V. Lucas. New York: The Macmillan Company, 1912.

Mr. E. V. Lucas, if a somewhat desultory observer, is at all costs a charming writer, and so perhaps few things would be more delightful

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than to substitute, upon a first visit to Florence, this volume, so amply and charmingly illustrated, for the usual Baedeker. It contains two good maps and an excellently prepared historical chart. A sentence in a *Synthetical Guide-book* circulated in the hotels of Florence expresses, so Mr. Lucas tells us, what he would like to say of Florence better than he could hope to express it. "The natural kindness, the high spirit, of the Florentine people, the wonderful masterpieces of art created by her great men, who in every age have stood in the front of art and science, rivalize with the gentle smile of her splendid sky to render Florence one of the finest towns of beautiful Italy." These words written by a Florentine and "inspirated," as he says, by patriotic feeling, are perfectly true according to E. V. Lucas, and his own book is written to fortify their truth and lead others to test it.

So the wanderer begins in the City of the Miracle, and goes about among buildings and paintings, giving us glimpses of past days and grand pageants, terrors, murders, treacheries, old loves, and cloistered virtues.

The book is a guide-book in the form of literature, and does not disdain to add charm and humor to taste and learning.

The illustrations by Morley in color are exceedingly lovely, and the photographic reproductions are wisely chosen and not too hackneyed.

THE MEDIEVAL CHURCH ARCHITECTURE OF ENGLAND. By CHARLES HERBERT MOORE. New York: The Macmillan Company, 1912.

Why, when something is both true and useful, should it not be delightful as well? Like the earlier works on Gothic Architecture in France and Renaissance Architecture in general, this book is gravely hurt by a few crotchets of the author. All that he says is true and valuable, and undisputed. The careful discussions of stone structure, the profiles of mouldings, the study stone by stone of great English work, is all important and calls for gratitude that it will never get. Mr. Moore cannot bring himself to admit that anything is Gothic except the absolute perfection of the type, and then he cannot forgive everything else for not being equally perfect. He fairly scolds at what he calls Anglo-Saxon architecture, and he cannot keep away from what he disapproves. In this volume he analyzes very carefully from the structural side most important parts of Canterbury and Lincoln, and compares and dismisses more briefly a number of other great churches. The upshot is that English builders never reached the pure strain-and-thrust type that Amiens stands for. They always built their walls solid enough to carry their vaults—and then let them carry them, serenely suppressing the vaulting-shaft between the great pier and the springing of the arch, sometimes—they built, that is, with mass and not with force. Well—why, after all, should they not? They made thereby something different from French Gothic and nearly as pleasant to sit in. The Gothic of Germany, Switzerland, Italy, most of Spain, and all of France except the Royal Domain, lies open to the same objection. Why make an objection of it? Why, because Raphael painted fair hair, insist that only fair-haired figures shall be named Madonnas? But Mr. Moore cannot leave the question alone. Finally he comes to a brief chapter on timber roofs, and a new grievance crops up. The king-post, it seems, should dangle from the apex and swing, the

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tie-beam should be bolted to that to hold it up. But English builders preferred either to hold it down, by letting the king-post push and not pull, or to suppress it altogether, like the vaulting shafts mentioned above. The roofs are still firm, but they are all wrong.

On the other hand, the concluding chapter is very admirable, in which he praises with discrimination and defines with exactitude the Early-English style—it is lucid and yet scholarly; it is thorough and yet not dull, and 't had not been done before. The drawings are pleasant, with a personal, appreciative quality in the line; the half-tone plates are distinct and very well chosen and taken; the diagrams are plain, though they are not picturesque. Professor Simpson can make a diagram picturesque, and the late G. E. Street when he made a plan of a church made a thing of stately beauty. But it is barely possible that his life as a bit of an artist and a working architect tended more to grace and geniality than most professions. And precisely because of its real seriousness and worth is this objection filed against this book—because it will be so useful, and it is, after all, so good.

THE JUDGMENT HOUSE. By Sir GILBERT PARKER. New York: Harper & Brothers, 1913.

Fundamentally, romance with a meaning makes the same sort of claim as realism—that sheer truth of detail which asks us to regard it as always significant in itself. Mainly, the difference seems to be that romance, like a sentimentalist, is given to pretending a greater depth of meaning, of character, than it really has; while realism, cynic fashion, tends to disclaim any standards of character, and therefore any ulterior meaning, at all. This is a difference of temperament, and differences of temperament are seldom so clearly defined as we imagine. We sometimes catch the "tough-minded" philosopher sentimentalizing, and the "tender-minded" poet has his moments of being as sternly actual as anybody. Into the realistic story creeps the romantic point of view, while the avowed romance-writer is occasionally found making the assumption that the portrayal of the thing exactly as it appears is an end in itself. We are disposed, therefore, to scrutinize very carefully the professedly realistic story, in order that we may be sure that its claim not to be romantically misleading is well founded; and the romance that obviously aims at being more than merely glamourous we weigh somewhat suspiciously to see whether it really has that worth and validity which sincere realism, even at its muddiest, is usually felt to possess.

It is undoubtedly as romance with a meaning that we must consider *The Judgment House,* by Sir Gilbert Parker, his first novel since *The Weavers.* Indeed, except for a certain bigness of effect, a certain largeness of view, we might feel, after reading a dozen pages, that we were dealing with romance in quite an ordinary sense. We are at Covent Garden, where an unknown and unheralded singer of poetically suggestive name—Al'mah—is making her triumphant début in "Manassa." At the end of the first row of stalls sits "a fair, slim, graciously attired man of about thirty." He strokes his golden mustache and surveys the house with a smile of satisfaction "which in a less handsome man would have been almost a leer." This is Adrian Fellowes, and of course we distrust

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him. We watch him long enough to perceive that there is some sort of secret understanding between him and the singer; then we turn to a group of people in the box opposite the royal box: Jasmine Grenfel—can she be other than flower-like and frail?—Ian Stafford, her lover, a rising diplomatist, keen, polished, and solid-seeming; Stafford's friend, the "South-African nabob," Rudyard Byng, not long from the veldt. Of all these people we get impressions clear and emotionally suggestive—emphatically so. When Byng leaps from the box to the stage to save the life of the singer whose robe has caught fire from a candle, we respond with a thrill; and back of the thrill is a satisfaction in the incident as drama—as properly expressive of character and as adapted to further the interest of situation. This, to be sure, is romance—illusion, vivid picture, thrill, and all. It is romance, moreover, heightened in ways not altogether unfamiliar though used with power. Such is the effect of the opening scene; and from beginning to end the story seems to strive as frankly as an Elizabethan drama for what is striking in scene and situation. But naturally we expect more from Sir Gilbert Parker than what we facilely call a "good story" or than what the reviewers somewhat too facilely call a "dramatic" story. However superior may be the quality of the "goodness" or of the excitement, we are not satisfied with romance from the author of *The Weavers* and *The Right of Way* unless it be romance with a meaning.

Here then is a story strong in illusion, strong in its appeal to our admiration for heroism, to our sympathy with temptation, to our tenderness for womankind; and at the same time we require it to be a commentary—a glowing commentary—upon life. We ask whether the meaning shines out intensely, or is obscured, in the glare of passion and the glitter of superficial brilliance. This is the problem that romance with a meaning has to solve: such romance may be in its way almost as lurid as melodrama; but if it burns down a city we expect that by the light of the conflagration something will be revealed.

In *The Judgment House* surely there is no lack of intensity or variety of light. There are the red glare of battle, dull glow of hatred, warm reflections of love and sentiment, white search-lights of self-revelation—we should applaud it all as stage effect if it were nothing more. But does all this light really illuminate character and life? Are we really beholding a soul on fire or merely an ingenious pyrotechnic display? The very question perhaps implies a criticism; but in fact we cannot well doubt that the soul is there. The people portrayed by Sir Gilbert Parker have spiritual reality. This he makes us feel through romantic means, through the very glamour, the emotional suggestion, the sentimental appeal of his story—through the confused struggle of personal motives and the clash of big events.

For *The Judgment House* is essentially a story of people who try desperately hard, with more or less consciousness of the effort, as people will, to be true to themselves, and are forced at last to transcend themselves—those who can—none eluding his destiny.

It was inevitable that Jasmine Grenfel, in her search for self-fulfilment, should break faith with Ian Stafford, whom she really loved, and marry the South-African millionaire, Byng—a man whose primitive force and simplicity of character attracted her almost as much as the opportunities

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his wealth offered her. It was inevitable that, feeling Ian's scorn of her, she should endeavor to bring him once more to her feet. But the love and scorn and the desire, deeply as they are inwrought into the brain and nerve of these three, and calling for sympathy as emotions deeply human, are not, after all, the fundamental things that to those affected by them they seem.

These people in other circumstances might perhaps have gone on living smoothly enough; but if there is fate in human affairs, as we obscurely feel, then surely to the Jasmines and the Ian Staffords and the Rudyard Byngs no such easy destiny is apportioned. Their very intensity of thought and feeling precludes it; the conditions which will reveal them to themselves will surely come to pass. Jasmine no doubt loved Stafford as sincerely as her deceived soul would allow, and in no very different way, if in a less degree, she loved her husband. But in neither love was there anything to save her from falseness to both, and the man through whom she is false is Adrian Fellowes.

The crisis of the situation comes simultaneously with a crisis in world affairs—the outbreak of the Boer War. Through the bigness of the issues involved we see, as through a magnifying-glass, the real importance, the real difficulty, of the individual's conquest over self. Stafford has almost brought to consummation a far-reaching diplomatic scheme through which England's safety will be made sure in preparation for the approaching struggle. He needs only the consent of the ambassador of Moravia; but here he is effectually held in check by the representative of another power. In his extremity he accepts the help which Jasmine, wild to win back his trust, holds out to him. She, cool and skilful as he, by her personal allurement wins over the Moravian, and Stafford's great stroke is accomplished. Between them, they have saved England, but they have not fathomed their own souls. Passion draws them together again with its old force intensified.

Then comes one of those events which illuminate like a flash of lightning. Adrian Fellowes is in reality a traitor to England—a hired spy for Oom Paul—and the secret agent who has bribed him is Byng's servant, Krool, a Boer of Kaffir blood whose life his master has saved in the old days in South Africa. Now that Oom Paul's ultimatum has been sent, Krool, hating his fellow-traitor, turns against him. He leaves for Byng to find a letter of Adrian's to Jasmine which Jasmine has lost.

And so it happens that Ian, coming to keep his tryst with his friend's wife, meets what looks like Nemesis, for he has no doubt that the letter which Byng furiously thrusts into his hands is his own, and that the weapon in Byng's hand is intended for himself. Then he finds that fate has given him something harder to do than merely to die, and in persuading Jasmine's husband (against his own belief) that toward Fellowes Jasmine has been merely indiscreet, he achieves the impossible, transcending himself.

He cows the craven Adrian Fellowes, extorting from him a promise to leave England. In a passion half of indignation, half of renunciation, he bids Jasmine be true to her husband. Later it is he who puts fear into the heart of the other traitor, Krool. Fellowes' mysterious death occurring soon after the discovery of his letter, sets a fresh problem for Ian Stafford's clear head and perturbed soul. The shadow of crime rests

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upon both Jasmine and Byng. Suspicion lies darkly between them. Meanwhile, Byng's South-African associates have discovered Krool's treachery, and they bring him to trial before them. Stafford, sensing the danger to Jasmine, desperately guessing, plumbs Krool's knowledge and his purpose and turns the wretch's weapon—the suspicion of murder—against him.

Brought to judgment, Krool pays his penalty—pays, not more heavily than the others pay, but more obviously. It is not for this Caliban to transcend himself: a soul in a relatively low state of evolution, he has touched his highest in a doglike personal faithfulness to his master, not inconsistent with betrayal of his master's country and his master's wife. Yet even he, lashed to the street with the sjambok—the cruel South-African whip of rhinocerous hide—in the hands of his "Baas," even he pays his penalty to the mysterious force in man that makes for a higher righteousness, a higher civilization.

Throughout the story human nature, compact of good and evil, gives rise to drama and asserts its right to sympathy. Even Krool has his faithfulness, and Stafford's heroism is not an original impulse. If there is one person in the story who impresses us as good by nature it is Al'mah—yet it is Al'mah who kills Fellowes. A woman instinctively good—unselfish enough to ransom from a Boer prison the husband who has abused and deserted her, primitive enough to kill without scruple or regret the lover who has taken the best she had to give and trampled it in the mire.

As for Fellowes, he is not, assuredly, the conventional villain, but a phenomenon much truer—the apparently soulless man. Self-satisfied and untroubled in his wickedness, this physically beautiful creature with the mere wraith of a personality—a personality that is nothing but a more or less changeful desire—impresses us not as a caricature of human nature, but as a genuine portrayal, among many such the grimmest and not the least convincing.

It is in the Transvaal that Jasmine and Rudyard and Ian find their true selves, through heroic service. Especially and fittingly heroic is the death of Ian on the battle-field; yet the note of personal heroism, always in itself liable to become a trifle blatant, is here effectively submerged in a greater harmony. Where so many men are dying bravely there can be no hysteric emphasis upon the sacrifice of one.

Largely conceived and written with power, *The Judgment House* can hardly fail to produce upon the minds of most readers its intended effect, justifying the claim which, in the manner of romance, it seems to make somewhat insistently—the claim to a meaning beyond the obvious. We cannot, however, suppress a certain doubt as to the method and the manner. In a way the story impresses us as romance caught in a whirlwind of real forces—glamour twisted and torn to shreds. This, indeed, is the fate of romantic illusion in real life; but when it overtakes the kind of romance which in fiction we are accustomed to accept quite naïvely we feel perhaps unduly bewildered. The manner, too, we may sometimes wish less like the manner of ordinary romance, of ordinary drama. There are passages of genuine freshness—such as the bit of spontaneous speech that Jasmine draws from Byng early in their acquaintance: "Hearing gets to be the most acute of all the senses with the pioneer. If you've ever been really dying of thirst, and have reached water again, its sound be-

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comes wonderful to you ever after that—the trickle of a creek, the wash of a wave on the shore, the drip on a tin roof, the drop over a fall, the swish of a rain-storm. It's the same with birds and trees. And trees all make different sounds—that's the shape of the leaves. And it's all music, too."

More of this quality we might ask for in preference to the less natural rhetoric needed, no doubt, to develop plot and theme of a story so elaborately designed. Yet seldom does one write for us with such grasp of events and character, such power of feeling and visualizing, as Sir Gilbert Parker.

THE ADVANCE OF WOMAN. By JANE JOHNSTONE CHRISTIE. Philadelphia and London: J. B. Lippincott Company, 1912.

Mrs. Christie says in her preface that her book may "seem unduly harsh to man." It does. Her book loses force by reason of her inability to write English and to see two sides of a question. The information upon which the book is founded is superficially drawn from Karl Pearson and Havelock Ellis.

An author willing to make such a statement as "Germany has no romance, no history, no poetry, no art, no beauty, no gallantry, no tenderness," cuts herself off from serious consideration.

The tone of the book implies that all men are evil and have wilfully and with malicious intent enslaved women, while all the good in the world has been accomplished by women who combine saintliness with heroism. Despite the undeniable truth of much that Mrs. Christie wishes to convey, her book by its temper, superficiality, and carelessness is likely to do more harm than good to the cause she has at heart.

DANCING: ANCIENT AND MODERN. By ETHEL L. URLIN. New York: D. Appleton & Company, 1912.

Now that the dance is taking its place once more as one of the legitimate arts, its history and development have become of fresh interest. In the present small volume Miss Urlin traces the dance through the Primitive Folk Dances, the Imitative Dances (such as the Astronomic, Funeral, Marriage Dances), the Sacred or Church Dances, Folk Dances of the East and West, to the modern revival of dancing to which she gives about one-half the book.

The book, though small and cursory, is exact, scholarly, and well written. It is adapted to quick and easy reference rather than to consecutive reading, and valuable for any one interested in the art.

The volume is prettily gotten up with a charming silhouette on the cover of Maud Allan, the queen of the lyric dance, in one of her buoyant poses.

THE FASCINATION OF BOOKS. By JOSEPH SHAYLOR. New York: G. P Putnam's Sons, 1912.

This is a most alluring title. One inevitably looks forward to the delightful discourse of a man of letters who is willing to confide his

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soul's adventures in the paths of great literature. Alas, it is a volume not about reading books, but about selling them and the delights of the modern commercialization of literature.

The subject-matter is chiefly book-sellers and book-selling, Christmas books, early-Victorian book-selling, publishing, trade-dinner sales, the use and abuse of book titles, the life and death of books, hymn-writers and hymn-books, and reprints and their readers.

To say frankly that the book is for the trade rather than for the literary man, and that its opinions, no less than its contents, are for the trade, is not to say that the volume has not pages of delightful anecdote and amusing incident. The true story of how Rossetti came upon and finally made the fame of Fitzgerald's *Omar* is told in full, probably for the first time. The entire chapter on titles is suggestive and amusing.

A Little of Everything. By E. V. Lucas. New York: The Macmillan Company, 1912.

It is evidently important to Mr. Lucas to produce three books a year, and in order to keep the record one of these books consists usually of original essays, one of a volume of travel, and the third is an anthology or a collection of some sort.

A Little of Everything is a collection of good bits, sketches, descriptions, anecdotes from his previous volumes. He draws from *Over Bemerton's, Listener's Lure, Mr. Ingleside, A Wanderer in London, A Wanderer in Paris, Highways and Byways in Sussex, Old Lamps for New,* etc. In the main, his taste is unimpeachable. It is a large part of Mr. Lucas's stock-in-trade as a literary man that he knows a good thing when he sees it. Was it not he who discovered, by the mere shift of deciding to buy a book in the next bookshop, whose number was the same as the years of his age, on the shelf as high as his heart, Giles's *Dictionary of Chinese Biography?* And did it not supply him with several chapters of *Over Bemerton's?*

Mr. Lucas is a light, versatile, charming, and witty writer whose pages are lightened with the kindliest of smiles.

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